

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In Re: Case No.: 24-30168
Stark Energy, Inc., Chapter 11, Subchapter V
Debtor.

VIDEOCONFERENCE RULE 2004 EXAMINATION

of

ANDREW YUKER, individually

and on behalf of

YUKER TOWING & REPAIR, LLC

June 24, 2024

10:01 a.m.

LOCATION:
All parties appearing via Zoom.

COURT REPORTER: CAROLYN TAYLOR PEKAS, RPR

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I N D E X

WITNESS:**PAGE NO.****ANDREW YUKER, individually and on
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2 No. 9..... 20
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4 No. 10..... 24
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8 **DOCUMENT/INFORMATION REQUESTS:**

9 None.
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<p>5</p> <p>1 -----</p> <p>2 ANDREW YUKER, individually</p> <p>3 and on behalf of</p> <p>4 YUKER TOWING & REPAIR, LLC,</p> <p>5 having been first duly sworn to tell the truth,</p> <p>6 the whole truth, and nothing but the truth,</p> <p>7 testified as follows:</p> <p>8 -----</p> <p>9 EXAMINATION</p> <p>10 BY MS. STANLEY:</p> <p>11 Q. Good morning, Mr. Yuker.</p> <p>12 A. Good morning.</p> <p>13 Q. Can you state and spell your last -- your</p> <p>14 name for the -- your last name for the court</p> <p>15 reporter, please?</p> <p>16 A. My name's Andrew Benjamin Yuker. Last name</p> <p>17 is Y-U-K-E-R.</p> <p>18 Q. And what's your business address?</p> <p>19 A. Which one?</p> <p>20 Q. The one for Yuker Towing.</p> <p>21 A. 876 East Broadway Street, Dickinson,</p> <p>22 North Dakota 58601.</p> <p>23 Q. And what's the other business address that</p> <p>24 you have? Is that for Yuker Towing, also?</p> <p>25 A. Yes. There's also 4148 First Street</p>	<p>7</p> <p>1 saying "yes" and "no" as opposed to the "uh-huhs"</p> <p>2 because that's hard for her to interpret as well.</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. Okay. Can you just give me briefly your</p> <p>5 educational background?</p> <p>6 A. Okay. I didn't graduate high school. I've</p> <p>7 got a GED.</p> <p>8 Q. Have you always been in Dickinson?</p> <p>9 A. No. I'm originally from Michigan.</p> <p>10 Q. Okay. When did you move to Dickinson?</p> <p>11 A. Approximately 2010.</p> <p>12 Q. What prompted the move?</p> <p>13 A. Better paying jobs in the oil field.</p> <p>14 Q. And did your family come with -- you know,</p> <p>15 like your parents come with you, or did they stay in</p> <p>16 Michigan?</p> <p>17 A. My brother and my father moved out here a</p> <p>18 month prior to me moving out here. I followed them,</p> <p>19 and then my mother followed behind me.</p> <p>20 Q. So most of your family, then, moved out here</p> <p>21 in 2010. Is that right?</p> <p>22 A. Correct.</p> <p>23 Q. Who started the business Yuker Towing? Was</p> <p>24 that you or your dad or a family business?</p> <p>25 A. It was just solely me.</p>
<p>6</p> <p>1 Southwest, Dickinson, North Dakota.</p> <p>2 Q. What's the difference between the two?</p> <p>3 Like, what do you do differently at the two</p> <p>4 addresses?</p> <p>5 A. One is a storage yard, and one is a repair</p> <p>6 shop where we maintain all of our equipment.</p> <p>7 Q. Which one's the storage yard?</p> <p>8 A. The 876 East Broadway address.</p> <p>9 Q. Okay. Have you ever had your deposition</p> <p>10 taken before?</p> <p>11 A. No.</p> <p>12 Q. Ever had to testify in court before?</p> <p>13 A. I have.</p> <p>14 Q. What was that for?</p> <p>15 A. Some prior criminal history.</p> <p>16 Q. Okay. I'm guessing your attorney probably</p> <p>17 went over kind of the rules, but when we take a</p> <p>18 deposition by Zoom, it's really hard for the court</p> <p>19 reporter to take it down if we talk over and</p> <p>20 interrupt each other, so --</p> <p>21 A. Right.</p> <p>22 Q. -- just try to be mindful of that. I am bad</p> <p>23 at that, so try not to let me talk over you, and,</p> <p>24 hopefully, I'll give you the same courtesy.</p> <p>25 And then, also, the other main thing is</p>	<p>8</p> <p>1 Q. All right. Did you have experience in that</p> <p>2 before you moved out here?</p> <p>3 A. No.</p> <p>4 Q. So do you have any other businesses other</p> <p>5 than Yuker Towing?</p> <p>6 A. Not that are collecting any revenue.</p> <p>7 Q. Were they collecting revenue at some point?</p> <p>8 A. No. They're new businesses.</p> <p>9 Q. So tell me a little bit about Yuker</p> <p>10 Towing & Repair. Did you -- you started in 2010?</p> <p>11 A. I started Yuker Towing in -- I believe it</p> <p>12 was 2017.</p> <p>13 Q. So what did you do in the seven years before</p> <p>14 you started that business and you were in Dickinson?</p> <p>15 A. When I first came to Dickinson, I was a</p> <p>16 diesel mechanic for Power Fuels in Dickinson. From</p> <p>17 there, I went to Alternative Wrecker Service and</p> <p>18 worked for him for about a year. And after leaving</p> <p>19 his business, I went to Wildfire Hyperheaters and was</p> <p>20 a diesel mechanic for an additional three or four</p> <p>21 years.</p> <p>22 Q. Okay. And if you had to describe what the</p> <p>23 business does, just in elevator speech, if you will,</p> <p>24 what would you say Yuker Towing does?</p> <p>25 A. I would say it's a full-service company for</p>

<p>1 anything that a customer needs.</p> <p>2 Q. With regards to towing? repairs? What?</p> <p>3 Like, any limitations on that?</p> <p>4 A. I would say very minimal limitations because</p> <p>5 we can always subcontract out anything that we can't</p> <p>6 handle ourselves.</p> <p>7 Q. Do you do primarily -- I mean, primarily --</p> <p>8 how much of your work is out in the oil field, oil</p> <p>9 patch area?</p> <p>10 A. Probably 75 percent of our business or more.</p> <p>11 Q. Okay. And is it towing, primarily towing,</p> <p>12 or do you go out and actually fix equipment in the</p> <p>13 field?</p> <p>14 A. We do not -- we do minimal repair work for</p> <p>15 any customers. That was a change in our business</p> <p>16 policies made approximately two years ago due to lack</p> <p>17 of payment on so many accounts. The majority of our</p> <p>18 business is either towing or general trucking of some</p> <p>19 sort.</p> <p>20 Q. Did you say "rental trucking"?</p> <p>21 A. General trucking.</p> <p>22 Q. Oh, general trucking. Okay. Sorry. I</p> <p>23 better turn up my volume.</p> <p>24 A. Within the last year, we have added some</p> <p>25 rental work.</p>	<p>11</p> <p>1 A. Key.</p> <p>2 Q. Okay. So does Stark Energy or Andy -- or,</p> <p>3 I'm sorry -- Robert Fettig have any sort of</p> <p>4 involvement in this business with you?</p> <p>5 A. No.</p> <p>6 Q. How do you know Robert Fettig?</p> <p>7 A. He was a former customer.</p> <p>8 Q. So when did you first meet him?</p> <p>9 A. Approximately 2018.</p> <p>10 Q. And how did you meet him? Was it through</p> <p>11 the business?</p> <p>12 A. My -- Rob Fettig ran his trucks for Power</p> <p>13 Fuels, and my father was still employed there. He</p> <p>14 was a dispatcher. Rob had a truck break down or get</p> <p>15 stuck, I don't remember which, and when Rob couldn't</p> <p>16 find a wrecker service, my dad gave him my number.</p> <p>17 Q. Okay. So that would have probably been</p> <p>18 around 2018, you said?</p> <p>19 A. I believe so.</p> <p>20 Q. How long -- how did you typically</p> <p>21 communicate with him? Was it phone calls? text</p> <p>22 messages? emails?</p> <p>23 A. Generally, phone calls, and as the years</p> <p>24 progressed, he did start texting more.</p> <p>25 Q. Did you do a lot of business with him from,</p>
<p>10</p> <p>1 Q. Okay. How many employees does Yucker Towing</p> <p>2 have?</p> <p>3 A. I believe currently 17.</p> <p>4 Q. Any family members involved in the business</p> <p>5 right now?</p> <p>6 A. No.</p> <p>7 Q. Sir, with regards to the -- did you call it</p> <p>8 the tow yard, or what did you refer to it as earlier?</p> <p>9 A. The storage yard.</p> <p>10 Q. The storage yard?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Can you kind of give me an</p> <p>13 explanation of how it works? Like, you know, is</p> <p>14 there a privacy fence? Is there a gate? Anything</p> <p>15 like that?</p> <p>16 A. The storage yard at 876 East Broadway has a</p> <p>17 fence. Some of it is a privacy fence; some of it is</p> <p>18 made up of Conex containers and previously wrecked</p> <p>19 storage van trailers. The contents of the yard are</p> <p>20 generally impounds and abandoned vehicles.</p> <p>21 Q. Okay. Is there any sort of gate to get in?</p> <p>22 A. There is a gate at that property.</p> <p>23 Q. And how do -- like, is it a locked gate?</p> <p>24 A. Yes.</p> <p>25 Q. Is there a code to get in?</p>	<p>12</p> <p>1 like, 2018 to 2021?</p> <p>2 A. We did a lot of business with Rob Fettig</p> <p>3 from 2018 to the beginning of the COVID pandemic.</p> <p>4 Q. So early 2020?</p> <p>5 A. Yes.</p> <p>6 Q. And then did his business drop off at that</p> <p>7 point, or what happened?</p> <p>8 A. Yes. When oil prices crashed and the oil</p> <p>9 field died off, he lost a lot of business and didn't</p> <p>10 need our services as much.</p> <p>11 Q. Did you provide your attorneys with copies</p> <p>12 of text messages between you and Mr. Fettig to give</p> <p>13 to my office?</p> <p>14 A. I did, ma'am.</p> <p>15 Q. Okay. Can you take a look at Exhibit 1?</p> <p>16 MR. VERSTANDIG: Ms. Stanley, can you either</p> <p>17 project the exhibits or email them to me?</p> <p>18 MS. STANLEY: I did ask my assistant to give</p> <p>19 you the link to download them.</p> <p>20 MR. VERSTANDIG: I'm not seeing it as of</p> <p>21 yet. I don't mean to hold you up. I just want to</p> <p>22 make sure I can keep track of what's going on.</p> <p>23 MS. STANLEY: Yeah. I will just make sure</p> <p>24 that email went out. Right? Oh.</p> <p>25 (Brief pause in proceedings.)</p>

<p style="text-align: right;">13</p> <p>1 Q. (BY MS. STANLEY) Do you have the exhibits,</p> <p>2 like, in paper form in front of you, or --</p> <p>3 A. Yes, ma'am. I have the exhibits in paper</p> <p>4 form in front of me.</p> <p>5 Q. Okay. I'm looking at the first page of</p> <p>6 Exhibit 1. Do you see on the bottom that it's</p> <p>7 identified as GC 0001 in really small print?</p> <p>8 A. Yes, ma'am.</p> <p>9 Q. Okay. So I'll probably refer to that</p> <p>10 GC 0001 as we go through these. It's kind of like --</p> <p>11 what we call a Bates marking, a Bates stamp, so</p> <p>12 that -- just so you know.</p> <p>13 A. Okay.</p> <p>14 Q. Because there's always a lot of shuffling of</p> <p>15 paper in these things.</p> <p>16 A. Okay.</p> <p>17 Q. So can you tell me what that first -- on the</p> <p>18 first page, do you see 0001? Mr. Fettig's comment</p> <p>19 about \$3,750,000? Mr. Yucker, do you remember this?</p> <p>20 A. I vaguely remember it. I believe that was</p> <p>21 in regards to an attempt to sell his business or sell</p> <p>22 a portion of it.</p> <p>23 Q. Was he asking you to buy it?</p> <p>24 A. I don't remember if that message was when he</p> <p>25 asked me about purchasing his business, but he has</p>	<p style="text-align: right;">15</p> <p>1 Q. Do you know Delene Fettig?</p> <p>2 A. That is Rob Fettig's mother.</p> <p>3 Q. Have you spoken with Delene Fettig on the</p> <p>4 phone and/or by text message?</p> <p>5 A. I have spoken with Delene on the phone, and</p> <p>6 I believe we have text messages back and forth.</p> <p>7 Q. Okay. Did you provide your attorneys with</p> <p>8 copies of text messages?</p> <p>9 A. I did.</p> <p>10 Q. Did you provide your attorneys with copies</p> <p>11 of phone call records between you and Delene Fettig?</p> <p>12 A. I did.</p> <p>13 Q. What's your impression of how Delene</p> <p>14 Fettig -- how involved was she in the Stark Energy</p> <p>15 business?</p> <p>16 A. I'm not entirely sure how involved she was.</p> <p>17 From time to time, if Rob was unavailable, she would</p> <p>18 contact me for Rob, and that was most of my dealings</p> <p>19 with her.</p> <p>20 Q. Okay.</p> <p>21 MR. MURTHA: I put up share-screen on the</p> <p>22 exhibit, if that works.</p> <p>23 MS. STANLEY: Yes. Thank you.</p> <p>24 Q. (BY MS. STANLEY) Have you had interactions</p> <p>25 with people other than -- like, other employees of</p>
<p style="text-align: right;">14</p> <p>1 asked me to purchase his business or to take on</p> <p>2 partners to purchase his business.</p> <p>3 Q. In the past? Like how long ago?</p> <p>4 A. I do not recall.</p> <p>5 Q. What about the -- what's the reference for</p> <p>6 the three vehicles that's on March 12th on this page,</p> <p>7 2018 Volvo tractor, 2015 Great Dane trailer, and a</p> <p>8 2012 Peterbilt 367? Do you know why he was sending</p> <p>9 you that information?</p> <p>10 A. I do not recall.</p> <p>11 Q. Okay.</p> <p>12 A. I believe it had something to do with that</p> <p>13 equipment possibly being paid off, that he was</p> <p>14 wanting to sell that equipment if he couldn't get the</p> <p>15 above amount.</p> <p>16 Q. Okay. And was he asking you to buy it, do</p> <p>17 you think, or --</p> <p>18 A. Probably.</p> <p>19 Q. I'm going to backtrack just a little bit.</p> <p>20 Did you provide your attorneys with copies of phone</p> <p>21 call records between you and Mr. Fettig?</p> <p>22 A. Yes, ma'am, I did.</p> <p>23 Q. Okay. And those were to be turned over to</p> <p>24 my office. Is that correct?</p> <p>25 A. I believe so.</p>	<p style="text-align: right;">16</p> <p>1 Stark Energy?</p> <p>2 A. Yes, ma'am. I had interactions with many of</p> <p>3 his drivers and several of his mechanics.</p> <p>4 Q. Okay. Just over the years when you were</p> <p>5 providing services?</p> <p>6 A. Correct, ma'am. When the trucks broke down,</p> <p>7 I would sometimes be giving the driver a ride back</p> <p>8 with the truck to his shop in Belfield or wherever it</p> <p>9 might be going, and I would interact with his</p> <p>10 mechanics and let them know of any other issues I</p> <p>11 might have had in towing the vehicle to his shop.</p> <p>12 Q. So if something was broken down, who would</p> <p>13 typically contact you? Would it be Mr. Fettig?</p> <p>14 A. Typically, yes, it was Rob Fettig.</p> <p>15 Q. Have you personally --</p> <p>16 A. And --</p> <p>17 Q. -- been out to the business premises for</p> <p>18 Stark Energy?</p> <p>19 A. I didn't understand the question.</p> <p>20 Q. Like, do you know where Stark Energy has its</p> <p>21 primary business premises?</p> <p>22 A. I know where the shop's located in Belfield.</p> <p>23 Q. Okay. Have you been out there a bunch of</p> <p>24 times or just a few times?</p> <p>25 A. Over the years, I would say I've been out</p>

<p style="text-align: right;">17</p> <p>1 there probably around 150 times.</p> <p>2 Q. Did Yucker Towing -- when you would -- when</p> <p>3 it would provide services to Stark Energy, how would</p> <p>4 it typically bill for that? Would an invoice be</p> <p>5 sent? A statement? How would you do that?</p> <p>6 A. We typically emailed an invoice, and then</p> <p>7 either Rob or his mother would drop off a check after</p> <p>8 two or three invoices were due.</p> <p>9 Q. Did you provide your attorneys with copies</p> <p>10 of invoices that Yucker Towing had issued to Stark</p> <p>11 Energy?</p> <p>12 A. Yes, ma'am, I did.</p> <p>13 Q. I'd like to take a look at the second page.</p> <p>14 Do you see 0002 of the text messages, Exhibit 1?</p> <p>15 A. Can you restate what I'm looking for?</p> <p>16 Q. Yeah. On the second page of Exhibit 1, it</p> <p>17 says: We have visitation?</p> <p>18 A. Yes.</p> <p>19 Q. Next Tuesday?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. Right there, on May 11th. What was this</p> <p>22 regarding?</p> <p>23 A. That was in regards to my father's passing.</p> <p>24 Q. Okay. Did Mr. Fettig go to the memorial?</p> <p>25 A. He did not.</p>	<p style="text-align: right;">19</p> <p>1 A. I'm not entirely sure, but I believe that</p> <p>2 Mr. Fettig has a misunderstanding of how the towing</p> <p>3 and repo world works and that he thinks everyone is</p> <p>4 completely connected.</p> <p>5 Q. So was somebody trying to repossess</p> <p>6 something of Stark Energy's?</p> <p>7 A. I believe he did have a couple of trucks</p> <p>8 that were up for repossession at the time.</p> <p>9 Q. And this is in June of 2023?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Towards the bottom of page 7, it says: The</p> <p>12 broker on your trucks is CR2 out of New York.</p> <p>13 Do you know what that meant?</p> <p>14 A. That was the company that was trying to</p> <p>15 repossess the two trucks that he had referred to in</p> <p>16 the above message.</p> <p>17 Q. So what kind of -- do you remember what kind</p> <p>18 of trucks they were?</p> <p>19 A. I don't, ma'am.</p> <p>20 Q. Okay. So your comment a little bit above</p> <p>21 that, too, that says: I was worried they were going</p> <p>22 to contact another wrecker company. It's none of my</p> <p>23 guys. Those repo brokers are like hound dogs.</p> <p>24 What does that mean?</p> <p>25 A. I was trying to put Rob at ease because he</p>
<p style="text-align: right;">18</p> <p>1 Q. Okay. Looking at the third page, do you see</p> <p>2 0003 at the very bottom? It says: We should meet at</p> <p>3 my office. I want to show you something.</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. Do you know what that was in regards to?</p> <p>6 A. I don't recall.</p> <p>7 Q. Okay. A little bit above that, on June 3rd,</p> <p>8 also, it says: Got some money for bill.</p> <p>9 When did -- did Mr. -- did Stark Energy</p> <p>10 start having an ongoing issue with payment?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. When did that start?</p> <p>13 A. During the COVID pandemic.</p> <p>14 Q. Okay. Would they make random payments or</p> <p>15 just always had a balance, or what do you recall?</p> <p>16 A. If I recall correctly, we haven't received</p> <p>17 any form of payment that was actually sufficient in</p> <p>18 any way since the COVID pandemic.</p> <p>19 Q. Can we take a look at page GC 0007?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. And this is June 18th. Yeah, right there</p> <p>22 where it starts: Will you tell your repo fellas to</p> <p>23 chill to someone's out?</p> <p>24 Can you explain what this long passage is in</p> <p>25 the text messages?</p>	<p style="text-align: right;">20</p> <p>1 had began to be upset with me, as if I was trying to</p> <p>2 take his equipment.</p> <p>3 Q. And had you been retained to do that?</p> <p>4 A. No, ma'am.</p> <p>5 Q. Here's kind of the point where I wind up</p> <p>6 flipping between exhibits. Can you look at</p> <p>7 Exhibit -- I believe it's 9?</p> <p>8 A. Yes, ma'am.</p> <p>9 Q. This is -- can you tell me what this is,</p> <p>10 first of all, Exhibit 9?</p> <p>11 A. Looks like it is phone records.</p> <p>12 Q. And that phone number at the top, (989)</p> <p>13 858-0805, is that your phone number?</p> <p>14 A. That is correct.</p> <p>15 Q. Okay. So are these your phone records?</p> <p>16 A. That is correct.</p> <p>17 Q. Okay. Looking towards -- let's see --</p> <p>18 July 10th, this is Gate City 176. A little bit more,</p> <p>19 I think. There you go.</p> <p>20 It looks like there's one, two, three,</p> <p>21 four -- five calls on that day, and they were</p> <p>22 fairly -- a couple of them look like they were fairly</p> <p>23 lengthy. Do you have any idea what this call was</p> <p>24 about?</p> <p>25 A. I don't, ma'am.</p>

<p style="text-align: right;">21</p> <p>1 Q. Okay.</p> <p>2 MS. STANLEY: Can we go -- and thank you,</p> <p>3 Mr. Murtha, for your assistance. I greatly</p> <p>4 appreciate it.</p> <p>5 Q. (BY MS. STANLEY) Go back to Gate City</p> <p>6 page 8. This is Exhibit 1, the text messages again.</p> <p>7 This is June 18, 2023. It says at the -- yeah, at</p> <p>8 the very top: With them being out of state, I'm sure</p> <p>9 they're just calling every wrecker company in the</p> <p>10 area.</p> <p>11 What did that mean?</p> <p>12 A. That was in regards to the two trucks that</p> <p>13 he had up for repossession in the previous text</p> <p>14 messages.</p> <p>15 Q. Okay. Is that how it works in the industry,</p> <p>16 that somebody -- I mean, can you explain to me how</p> <p>17 this works?</p> <p>18 A. I can explain how our limited engagement in</p> <p>19 repo has worked.</p> <p>20 Q. Yeah.</p> <p>21 A. We'd done some repo work for Sample Auto</p> <p>22 before they closed up, and when Sample Auto had a</p> <p>23 vehicle that was -- they had a point of outstanding</p> <p>24 debt and no payments were being made, he would</p> <p>25 contract us to repossess the vehicle and bring it to</p>	<p style="text-align: right;">23</p> <p>1 A. At some point they did, yes.</p> <p>2 Q. Why would a -- why would he ask this?</p> <p>3 A. Because at some point he was trying to hide</p> <p>4 a lot of equipment from the banks that he owed money.</p> <p>5 Q. Now, did he say that to you, or was this</p> <p>6 just your impression, or why do you think that?</p> <p>7 A. He eventually told me that.</p> <p>8 Q. Was this in a phone conversation?</p> <p>9 A. I believe so.</p> <p>10 Q. Do you have any record of -- you know, like</p> <p>11 a delivery ticket or anything like that for if things</p> <p>12 got put on the lot, on your lot?</p> <p>13 A. I do not. Typically, if Rob Fettig brought</p> <p>14 equipment to my lot, what we would do is try and get</p> <p>15 it into an area where he no longer had access to it</p> <p>16 and more or less hold it hostage from him, because</p> <p>17 some of the trucks we had noticed had been quite</p> <p>18 dismantled or just in general beat to crap.</p> <p>19 Q. So you said "hold it hostage from him." I</p> <p>20 mean, is this -- this one that we're looking at here,</p> <p>21 "Can I move a truck to your lot," this was him</p> <p>22 requesting that. Right?</p> <p>23 A. Correct.</p> <p>24 Q. Did you ever go out and -- that you can</p> <p>25 recall -- seize equipment without his permission or</p>
<p style="text-align: right;">22</p> <p>1 him.</p> <p>2 Q. So this New York company that was referred</p> <p>3 to I think a page earlier, did they try to contact a</p> <p>4 local company, sort of subcontract out?</p> <p>5 A. I believe so.</p> <p>6 Q. The next comment you had down there: I</p> <p>7 would be careful. There are wrecker companies that</p> <p>8 will just come and take them.</p> <p>9 Was he -- you know, why did you make that</p> <p>10 comment to him?</p> <p>11 A. Because at the time Rob had told me that he</p> <p>12 was trying to work out some type of deal with the</p> <p>13 bank, the financial institution that he owed money to</p> <p>14 on those trucks, and that way they were no longer up</p> <p>15 for repossession.</p> <p>16 Q. Do you know if he was trying to hide them</p> <p>17 from the bank?</p> <p>18 A. I'm not aware of that.</p> <p>19 Q. Let's look at Gate City 0010. Yeah. Right</p> <p>20 at the very bottom there, July 21st. It's right up</p> <p>21 at the top. It says: Can I move a truck to your</p> <p>22 lot?</p> <p>23 Do you recall this?</p> <p>24 A. Not in particular.</p> <p>25 Q. Okay. Did trucks get moved to your lot?</p>	<p style="text-align: right;">24</p> <p>1 without his request?</p> <p>2 A. Yes.</p> <p>3 Q. When was that?</p> <p>4 A. I would have to look at the exhibit with the</p> <p>5 invoice date, but we impounded a truck from Sweet</p> <p>6 Crude truck stop in Grassy Butte for abandonment on</p> <p>7 their property.</p> <p>8 Q. So was this a request from Sweet Crude?</p> <p>9 A. Yes, it was.</p> <p>10 Q. Are there any others that you can think of?</p> <p>11 A. Not off the top of my head.</p> <p>12 Q. So looking at -- this is Exhibit 9, page</p> <p>13 Gate City 186. It's -- yeah. Oh, you're on</p> <p>14 Exhibit 10. Actually, I'm looking for July 21, 2023,</p> <p>15 dates. Yeah. There. No. Go back. Those ones.</p> <p>16 What does the Gate City number at the bottom</p> <p>17 of that show? 170. Okay. So my numbers are a</p> <p>18 little bit off.</p> <p>19 It looks like there's one, two, three --</p> <p>20 four phone calls on the same day with -- this is</p> <p>21 Mr. Fettig's phone number, by the way. I think I</p> <p>22 forgot to say that earlier. Is that correct? (952)</p> <p>23 210-6610?</p> <p>24 A. I believe so.</p> <p>25 Q. This July 21, 2023, date had four calls, and</p>

<p style="text-align: right;">25</p> <p>1 that's the same date as this text message that said,</p> <p>2 "Can I move a truck to your lot." Do you recall</p> <p>3 anything about these four conversations?</p> <p>4 A. Not in particular.</p> <p>5 Q. Do you think you would have had a</p> <p>6 conversation with him about what truck he wanted to</p> <p>7 move to your lot?</p> <p>8 A. No. I have a feeling that the conversation</p> <p>9 would be more along the lines of him rambling on</p> <p>10 about how he was going to pay everybody and that</p> <p>11 everything was going to be rainbows and sunshine</p> <p>12 someday.</p> <p>13 Q. Did he do that a lot?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Can we go back to Gate City 10 again?</p> <p>16 Exhibit 1. He said: Can I move a truck to your lot?</p> <p>17 This is July 21st.</p> <p>18 And then you respond: Yeah. If you want to</p> <p>19 park it at my place, that's fine.</p> <p>20 So do you recall if he did park something,</p> <p>21 or not?</p> <p>22 A. I do not recall.</p> <p>23 Q. Did he request to do this more than this</p> <p>24 occasion?</p> <p>25 A. Yes, he did.</p>	<p style="text-align: right;">27</p> <p>1 worked in frequently and dropped them off, so I was</p> <p>2 aware that he had frac tanks. And we tried to make a</p> <p>3 deal to put them in with my rental tanks rather than</p> <p>4 them just sitting there on a Hunt Oil location</p> <p>5 basically rotting away.</p> <p>6 Q. So did that actually come to pass, that you</p> <p>7 helped rent these tanks out?</p> <p>8 A. We were able to recover two of the tanks.</p> <p>9 One was lost in the field. We never did find it.</p> <p>10 Q. And then were they rented out?</p> <p>11 A. After we replaced frac tank valves, flanges,</p> <p>12 and had the tanks cleaned, then, yes, we were able to</p> <p>13 rent them out.</p> <p>14 Q. Okay. And how did the payment for that go?</p> <p>15 A. The initial payments were all put towards</p> <p>16 the cost of repairing the tanks, and then anything</p> <p>17 past that was applied to his debt that he owed.</p> <p>18 Q. So was the check -- like the payment</p> <p>19 actually issued to Yuker Towing, or who was the</p> <p>20 payment for that issued to?</p> <p>21 A. It was issued to Yuker Towing.</p> <p>22 Q. And did this then decrease his accounts</p> <p>23 receivable that was owed?</p> <p>24 A. It never made it past -- it actually never</p> <p>25 even paid for the materials and services required to</p>
<p style="text-align: right;">26</p> <p>1 Q. Do you remember how many times?</p> <p>2 A. I do not.</p> <p>3 Q. Did you always give him permission to do</p> <p>4 that?</p> <p>5 A. I did.</p> <p>6 Q. Okay. Did he say -- I mean, did he say why</p> <p>7 he wanted to do that?</p> <p>8 A. He said because he owed money on the</p> <p>9 equipment and it was up for repossession and people</p> <p>10 were looking for it.</p> <p>11 Q. Did he say what people were looking for it?</p> <p>12 A. I believe at one time he mentioned the</p> <p>13 sheriff's department, but that was all I recall for</p> <p>14 him mentioning who was looking for it.</p> <p>15 Q. Okay. Let's look on page Gate City 12.</p> <p>16 This is also July 21st. One more. Yeah.</p> <p>17 It looks like you're asking him about a</p> <p>18 couple of frac tanks and if I "can put them out on</p> <p>19 rent for you." Can you tell me a bit about that?</p> <p>20 A. Yes. I was looking for more rental frac</p> <p>21 tanks to be able to put with ones that I had</p> <p>22 purchased to take care of customers of mine, and I</p> <p>23 knew from -- I don't remember the date of the</p> <p>24 invoice, but there's an invoice where we had hauled</p> <p>25 three frac tanks out to the Hunt oil field that he</p>	<p style="text-align: right;">28</p> <p>1 make the tanks operational.</p> <p>2 Q. Are they still being rented out or not?</p> <p>3 A. Occasionally.</p> <p>4 Q. And are they still -- who rented them out?</p> <p>5 I mean, like who was paying the bill for that?</p> <p>6 A. We were renting them to Marathon Oil.</p> <p>7 Q. Is this rental agreement still in place?</p> <p>8 A. As far as I'm aware, yes.</p> <p>9 Q. So is there any money still coming in from</p> <p>10 this?</p> <p>11 A. On occasion.</p> <p>12 Q. And it's still going to Yuker Towing?</p> <p>13 A. To -- yes, towards the amount that was put</p> <p>14 into the tanks.</p> <p>15 Q. How much was put into the tanks?</p> <p>16 A. I would have to dig up all the invoices for</p> <p>17 that.</p> <p>18 Q. Any ballpark amount?</p> <p>19 A. \$12,000.</p> <p>20 Q. Did Yuker Towing foot the bill for the</p> <p>21 repairs?</p> <p>22 A. We did.</p> <p>23 Q. Can we look at Gate City 16? This is, like,</p> <p>24 July 23rd. Let's see. If we go a little bit further</p> <p>25 down? There you go.</p>

<p style="text-align: right;">29</p> <p>1 Right underneath that sort of keyboard on</p> <p>2 this page, it says: Got side dump down. Moving</p> <p>3 trucks to your yard.</p> <p>4 Do you recall this?</p> <p>5 A. Not in particular.</p> <p>6 Q. What do you think that meant?</p> <p>7 A. I would assume, by looking at that message,</p> <p>8 that he was bringing a side dump to our property.</p> <p>9 Q. What would be the purpose of doing that?</p> <p>10 A. Probably because he owed money on it.</p> <p>11 Q. Was it -- is it your impression he was</p> <p>12 trying to hide it?</p> <p>13 A. That would be my impression.</p> <p>14 Q. So when something would get brought down</p> <p>15 there, would it stay there?</p> <p>16 A. We did our best to move any equipment we</p> <p>17 could where he no longer had access to it once it</p> <p>18 arrived, and my explanation to Rob of why we were</p> <p>19 doing that was so the bank couldn't take it.</p> <p>20 Q. So you were kind of blocking it in?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. When the equipment would arrive, I think you</p> <p>23 earlier said something about how it was damaged?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. Was it -- a lot of the equipment damaged</p>	<p style="text-align: right;">31</p> <p>1 removed from our property, he did begin parking,</p> <p>2 running, and operating equipment there, and I was</p> <p>3 just not quick enough to get much of that trapped</p> <p>4 where he didn't have access to it.</p> <p>5 Q. What was the timeframe on this? So are you</p> <p>6 saying that he actually sort of was staging things</p> <p>7 from your property?</p> <p>8 A. Can you rephrase the question?</p> <p>9 Q. I mean, was he actually parking things</p> <p>10 overnight and then using it the next day or something</p> <p>11 like that?</p> <p>12 A. He did do that at times.</p> <p>13 Q. What type of equipment was being used like</p> <p>14 that?</p> <p>15 A. I want to say typically vac trailers and a</p> <p>16 couple of semis.</p> <p>17 Q. What's a vac trailer?</p> <p>18 A. It's a -- a pneumatic tanker.</p> <p>19 Q. Did he have multiple of those?</p> <p>20 A. I want to say approximately 10.</p> <p>21 Q. Are those referred to as Dragons? Is that</p> <p>22 like a brand of those trailers?</p> <p>23 A. Dragon is a manufacturer of a vac trailer.</p> <p>24 Q. Okay. And he had that brand or the -- that</p> <p>25 manufacturer's type of trailer?</p>
<p style="text-align: right;">30</p> <p>1 when it arrived?</p> <p>2 A. Nearly everything was damaged in some</p> <p>3 fashion.</p> <p>4 Q. Were parts removed?</p> <p>5 A. Lots of them.</p> <p>6 Q. Did you ever ask him why that was?</p> <p>7 A. I didn't. I assumed it was because he was</p> <p>8 trying to use parts from one to repair another so he</p> <p>9 didn't have the parts cost to keep his remaining</p> <p>10 trucks running.</p> <p>11 Q. The next page is Gate City 17. At the very</p> <p>12 top there: Parking the truck in the back by the</p> <p>13 belly dump faced in.</p> <p>14 Do you recall this?</p> <p>15 A. Not in particular.</p> <p>16 Q. Any idea what truck he's referring to?</p> <p>17 A. I would assume one that ran. I -- I don't</p> <p>18 recall past that which one.</p> <p>19 Q. Did he park equipment that actually -- like,</p> <p>20 did he only park stuff that wasn't functioning well,</p> <p>21 or did he park things and then take them back out and</p> <p>22 use them?</p> <p>23 A. He did both. Most of it was equipment that</p> <p>24 didn't function well. Towards the -- the end of him</p> <p>25 parking stuff there and when the equipment was</p>	<p style="text-align: right;">32</p> <p>1 A. Yes.</p> <p>2 Q. So the Dragons would go there -- would be</p> <p>3 parked there occasionally, and then he would remove</p> <p>4 them?</p> <p>5 A. There was, I believe, one or two trailers</p> <p>6 that he would continually manage to get out of our</p> <p>7 yard without me getting them blocked in before he did</p> <p>8 so.</p> <p>9 Q. So how did he do this if it was locked?</p> <p>10 A. Because he was doing that at the property we</p> <p>11 own, which is, I believe, 3046 Highway 22 North,</p> <p>12 which does not have a lock or gate on it.</p> <p>13 Q. So would he ask you to use -- to park them</p> <p>14 at that one?</p> <p>15 A. Yes.</p> <p>16 Q. Was that something he would just randomly</p> <p>17 call and say, "Hey, can I park there?" or would he</p> <p>18 just do it?</p> <p>19 A. In the beginning, he would generally call.</p> <p>20 Towards the end, he didn't call much. He would just</p> <p>21 kind of do it.</p> <p>22 Q. Was he the person that was -- I mean, were</p> <p>23 his employees doing that, also, or was it just him?</p> <p>24 A. He had a couple of employees at our yard I</p> <p>25 believe twice, and not the same employees either</p>

<p style="text-align: right;">33</p> <p>1 time. He generally did not keep employees very long.</p> <p>2 Q. Why is that, in your opinion?</p> <p>3 A. From what I understand, he typically didn't</p> <p>4 pay them.</p> <p>5 Q. So going back to Gate City 17 here, that's</p> <p>6 the text messages on July 23rd: Parking the truck in</p> <p>7 the back by the belly dump faced in.</p> <p>8 Is this -- which property is this?</p> <p>9 A. I would --</p> <p>10 (Andrew Yuker's Zoom connection</p> <p>11 disconnected.)</p> <p>12 MR. VERSTANDIG: I think we've lost the</p> <p>13 deponent.</p> <p>14 MS. STANLEY: Oh. Mr. Murtha, can you hear</p> <p>15 us?</p> <p>16 MR. MURTHA: (No audible response.)</p> <p>17 MS. STANLEY: Mr. Murtha, can you hear us?</p> <p>18 MR. MURTHA: (No audible response.)</p> <p>19 MS. STANLEY: Mr. Yuker has dropped off.</p> <p>20 We can go off the record.</p> <p>21 (A discussion was held off the record.)</p> <p>22 Q. (BY MS. STANLEY) Okay. I think I left off</p> <p>23 asking about parking the truck in the back by the</p> <p>24 belly dump faced in. Do you know which property this</p> <p>25 would be referring to?</p>	<p style="text-align: right;">35</p> <p>1 Q. Okay. Can we look at Gate City 0025? At</p> <p>2 the bottom here he texts you a code number, 1694, and</p> <p>3 you said: K. I'm here.</p> <p>4 Were you out at the Stark property in</p> <p>5 Belfield, or what was this about?</p> <p>6 A. I believe so.</p> <p>7 Q. Do you recall why?</p> <p>8 A. I don't.</p> <p>9 Q. Is there sort of a code to get into the shop</p> <p>10 there?</p> <p>11 A. I believe there is.</p> <p>12 Q. Let's look at Gate City 26. There's a</p> <p>13 picture there. Do you know, what type of equipment</p> <p>14 is that in the picture?</p> <p>15 A. You mean in front of the individual?</p> <p>16 Q. Yeah.</p> <p>17 A. That is one of Stark Energy's trucks.</p> <p>18 Q. Do you know why they sent you this picture?</p> <p>19 Were they trying to get your help to fix it, or --</p> <p>20 any idea?</p> <p>21 A. I believe he was trying to show off the</p> <p>22 capabilities of his mechanic that he had hired.</p> <p>23 Q. And that's -- is that the mechanic in the</p> <p>24 picture?</p> <p>25 A. I believe so. I didn't meet that</p>
<p style="text-align: right;">34</p> <p>1 A. I believe it would be referring to the 3046</p> <p>2 Highway 22 North property.</p> <p>3 Q. So is that the -- that's the tow yard or the</p> <p>4 repair yard?</p> <p>5 A. That is our additional truck parking yard.</p> <p>6 Q. And is that the one with a gate or not?</p> <p>7 A. That one does not have a gate on it.</p> <p>8 Q. Okay. Can we look at Gate City 0022? This</p> <p>9 is also July 23rd. There's a long -- sort of a long</p> <p>10 text here on July 23rd, something about: Gotta</p> <p>11 figure this situation out and will be doing so some</p> <p>12 way, shape, or form. Thanks for your time the other</p> <p>13 day and for the advice and support.</p> <p>14 Do you have any recollection of this</p> <p>15 conversation?</p> <p>16 A. I believe that that was in reference to a</p> <p>17 conversation I had with Rob about -- since he could</p> <p>18 not maintain employees to drive trucks and keep his</p> <p>19 equipment on the road and income coming in, that he</p> <p>20 should look at renting the equipment to bring in</p> <p>21 revenue to pay his bills.</p> <p>22 Q. Was he receptive to that idea?</p> <p>23 A. He seemed to be.</p> <p>24 Q. Was he asking for your assistance with this?</p> <p>25 A. He may have been.</p>	<p style="text-align: right;">36</p> <p>1 individual.</p> <p>2 Q. Do you know where this picture is taken?</p> <p>3 A. I'm -- I would assume Stark Energy's shop in</p> <p>4 Belfield, but I -- I don't know that for sure based</p> <p>5 on the picture.</p> <p>6 Q. What about the next picture on -- yeah, Gate</p> <p>7 City 27. Any idea what that piece of equipment might</p> <p>8 be?</p> <p>9 A. It looks like it would possibly be the</p> <p>10 inside of one of Stark Energy's trucks.</p> <p>11 Q. Would this be a Kenworth, do you think, like</p> <p>12 a -- is that mainly what they had?</p> <p>13 A. That is mainly what they had, yeah.</p> <p>14 Q. Did you ever get, like, a list of their</p> <p>15 equipment?</p> <p>16 A. Not, like, what assets they own type thing,</p> <p>17 other than what we received the day it was</p> <p>18 repossessed.</p> <p>19 Q. Was his equipment -- was Stark Energy's</p> <p>20 equipment identified by numbers or anything?</p> <p>21 A. Generally, yes.</p> <p>22 Q. So where would they have that, like on the</p> <p>23 side of it, or --</p> <p>24 A. Most of it was on the hood.</p> <p>25 Q. Oh. Did it say, like, "Stark Energy" on it</p>

<p style="text-align: right;">37</p> <p>1 and then a number or something like that?</p> <p>2 A. The identifying numbers that they used were</p> <p>3 generally S-205, S-206, S-207, all, for the most</p> <p>4 part, in order.</p> <p>5 Q. Looking at the next page, Gate City 28, on</p> <p>6 August 5th, it says: Need to move items.</p> <p>7 Question mark.</p> <p>8 Do you know what that refers to?</p> <p>9 A. I don't. And my response in those text</p> <p>10 messages is a question.</p> <p>11 Q. Okay. Someone come by.</p> <p>12 That was the question to him?</p> <p>13 A. Yes.</p> <p>14 Q. If we look at Exhibit 10, and -- there's</p> <p>15 calls on August 4th, 6th, 7th, and 8th. Starting on</p> <p>16 August 4th, it looks like there's -- and then the</p> <p>17 next page, there's quite a few calls in here. Any</p> <p>18 recollection of what these could be about?</p> <p>19 A. I'm sure a lot of it pertained to Rob saying</p> <p>20 his business was going to get better and he was going</p> <p>21 to fix everything and pay us and a whole lot of</p> <p>22 nonsense along those lines, and if it wasn't that, it</p> <p>23 was probably him trying to beg me to loan him money</p> <p>24 of some sort.</p> <p>25 Q. But you don't recall if this was a point</p>	<p style="text-align: right;">39</p> <p>1 A. To our property at 3046 Highway 22 North.</p> <p>2 Q. Was this at his request, or did you go take</p> <p>3 them without his permission?</p> <p>4 A. I believe that was at his request.</p> <p>5 Q. He talks about -- the next text message</p> <p>6 below that is: Got my driver's license back</p> <p>7 activated.</p> <p>8 Did he lose his -- do you know why he lost</p> <p>9 his license?</p> <p>10 A. I do not.</p> <p>11 Q. Okay. August 14th, it goes down: Andy,</p> <p>12 give me a call when you get a chance.</p> <p>13 And then: Do not talk to Matt until you</p> <p>14 talk with me.</p> <p>15 Who is the Matt that's referred to there?</p> <p>16 A. I would believe that was his former business</p> <p>17 partner.</p> <p>18 Q. Matt Barrett?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. Why didn't he want you to talk to Matt?</p> <p>21 A. I couldn't say for sure.</p> <p>22 Q. Do you recall why he wanted to talk to you</p> <p>23 in this instance, anyway?</p> <p>24 A. I don't, but I would believe if it was</p> <p>25 conversation including his former business partner in</p>
<p style="text-align: right;">38</p> <p>1 when any -- Need to move items.</p> <p>2 You don't recall if this was moving more</p> <p>3 collateral, or --</p> <p>4 A. I don't, ma'am.</p> <p>5 Q. Okay. Going back to Gate City 0032, the</p> <p>6 text messages, this is August 8th. Do you have a --</p> <p>7 yeah, right here there's a: Just wondering about</p> <p>8 sending a guy to move trailers.</p> <p>9 Do you know what that referred to?</p> <p>10 A. I would assume it was some type of agreement</p> <p>11 we would have made about one of my trucks and drivers</p> <p>12 moving some of his trailers from his Belfield yard to</p> <p>13 our property at 3046 Highway 22 North.</p> <p>14 Q. Maybe we like five of them.</p> <p>15 What was he asking you there or saying</p> <p>16 there?</p> <p>17 A. Judging by the above message, I would assume</p> <p>18 it was him trying to say that he was going to help me</p> <p>19 find drivers for my trucks.</p> <p>20 Q. Oh, okay. Did your employees help move his</p> <p>21 trucks -- or, I'm sorry -- trailers?</p> <p>22 A. I believe so.</p> <p>23 Q. Any idea how many?</p> <p>24 A. Maybe three.</p> <p>25 Q. And where were they brought?</p>	<p style="text-align: right;">40</p> <p>1 any way, shape, or form it was him trying to beg</p> <p>2 people for money.</p> <p>3 Q. Sorry. Can we go back to 28 again? I</p> <p>4 missed something there. At the very bottom there,</p> <p>5 this was, again, where he said: Need to move items.</p> <p>6 And you had a question: Okay. Someone come</p> <p>7 by?</p> <p>8 That was a question.</p> <p>9 And then: Not as of yet, but like you said,</p> <p>10 that would be a smart play.</p> <p>11 What do you think he meant by that?</p> <p>12 A. I believe by this time I talked with Gate</p> <p>13 City Bank here in Dickinson, and Stepheny Reger, the</p> <p>14 bank manager here, made it sound like we would</p> <p>15 potentially be helping Gate City recover the</p> <p>16 equipment, and because of that, I basically tried to</p> <p>17 convince Rob that if he parked all this stuff on my</p> <p>18 property, that he wouldn't have to worry about it</p> <p>19 being repossessed.</p> <p>20 Q. Were you planning to help Gate City?</p> <p>21 A. I was trying to. If you go through these</p> <p>22 phone records, you will actually find calls that I</p> <p>23 made back and forth with Stepheny Reger, the bank</p> <p>24 manager here in Dickinson, in regards to this</p> <p>25 equipment.</p>

<p style="text-align: right;">41</p> <p>1 Q. Did that ever go any further, talking to</p> <p>2 Ms. Reger?</p> <p>3 A. It sounded like, the last time I had talked</p> <p>4 to her, that we were supposed to be contacted by a</p> <p>5 head branch, and that's -- we never got those calls,</p> <p>6 but I did disclose in the phone calls with Ms. Reger</p> <p>7 that we had several of Stark Energy's pieces of</p> <p>8 equipment on our property even at those times.</p> <p>9 Q. Can we look at Gate City 38? A little bit</p> <p>10 further down. It says -- you said: You got some</p> <p>11 belly dump work or you sell the trailers?</p> <p>12 Do you recall this?</p> <p>13 A. Not in particular, but --</p> <p>14 Q. Is belly dump work aggregate hauling?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. Okay. I'm sorry. I interrupted you. What</p> <p>17 were you going to say?</p> <p>18 A. I was presuming that you were going to ask</p> <p>19 what I was referring to.</p> <p>20 Q. Was he -- was Mr. Fettig trying to sell</p> <p>21 trailers?</p> <p>22 A. Not to my knowledge.</p> <p>23 Q. Why would you ask him that?</p> <p>24 A. My guess is I had a tow going past his yard</p> <p>25 in Belfield on September 27th and noticed that some</p>	<p style="text-align: right;">43</p> <p>1 blocked in before it would disappear.</p> <p>2 Q. So were you aware if this was a Gate City</p> <p>3 piece of collateral or another creditor's piece of</p> <p>4 collateral?</p> <p>5 A. I assumed that it was a piece of collateral</p> <p>6 connected to something due to the fact that he wanted</p> <p>7 to hide it on my property.</p> <p>8 Q. So when this one got towed out, what</p> <p>9 happened to it? Did it go back to him, or --</p> <p>10 A. I believe that one was released because it</p> <p>11 had a load of production water on the trailer that</p> <p>12 needed to be properly disposed of.</p> <p>13 Q. When you say "production water," is this</p> <p>14 like frac water?</p> <p>15 A. It's oil field wastewater.</p> <p>16 Q. Okay. What is the -- what type of -- so I'm</p> <p>17 looking at that picture that's on the bottom of 39.</p> <p>18 There's kind of a pop can in there. Is that one of</p> <p>19 the Dragon trailers?</p> <p>20 A. It appears to be.</p> <p>21 Q. They kind of have that, like, rims around</p> <p>22 the middle?</p> <p>23 A. Most all vac trailers in the oil field are</p> <p>24 built that way.</p> <p>25 Q. And they -- sorry I'm being ignorant here on</p>
<p style="text-align: right;">42</p> <p>1 of his equipment was gone out of the yard.</p> <p>2 Q. Did you drive by there frequently?</p> <p>3 A. Whenever I had work that caused me to drive</p> <p>4 by there.</p> <p>5 Q. So his comment back to you, how did you take</p> <p>6 that?</p> <p>7 A. Because he --</p> <p>8 Q. Yep, working on chasing work been hell.</p> <p>9 A. That he was trying to get work, but he would</p> <p>10 probably just screw it up like he did much of the</p> <p>11 other stuff he had going on.</p> <p>12 Q. Can we look at Gate City 39? The Bakken</p> <p>13 fail of the day.</p> <p>14 What was this about?</p> <p>15 A. That would be one of his drivers ran one of</p> <p>16 his trucks and trailers off the side of the road with</p> <p>17 a load on it, and he needed assistance to get it up</p> <p>18 the hill.</p> <p>19 Q. Did you guys assist with that?</p> <p>20 A. We did.</p> <p>21 Q. Was this -- do you know, was this a piece of</p> <p>22 collateral that had been hidden before or on your</p> <p>23 property before?</p> <p>24 A. There were times where that one had appeared</p> <p>25 and disappeared, and I was unable to get that one</p>	<p style="text-align: right;">44</p> <p>1 how these things are actually used, but they call it</p> <p>2 vac -- like, they actually vacuum things out?</p> <p>3 A. They -- they create negative pressure in the</p> <p>4 tanker and pull fluids, generally, onto the trailer.</p> <p>5 Q. And you had indicated that he -- that Stark</p> <p>6 Energy has several -- quite a few of these. Correct?</p> <p>7 A. Correct.</p> <p>8 Q. And these would -- were any of them actually</p> <p>9 parked in at your property, or blocked in, I should</p> <p>10 say?</p> <p>11 A. Yes. I think there was six or eight of</p> <p>12 them. I don't recall from what time to what time,</p> <p>13 but there were numerous ones blocked in.</p> <p>14 Q. And were some of them able -- like, were</p> <p>15 some of them hidden there and then left again?</p> <p>16 A. Not as long as I could get them blocked in.</p> <p>17 Anything I could get blocked in, I left blocked in</p> <p>18 and just fed Rob excuse after excuse of why I</p> <p>19 couldn't move the stuff.</p> <p>20 Q. Was there ever any discussion about</p> <p>21 holding -- did he ever offer to let you hold his</p> <p>22 property as collateral?</p> <p>23 A. Yeah. There was talks of that.</p> <p>24 Q. What do you recall about that?</p> <p>25 A. I don't recall the particulars. It was --</p>

<p style="text-align: right;">45</p> <p>1 it was prior to the talks we had with -- that I had</p> <p>2 with Stepheny Reger here at Gate City. He had made</p> <p>3 it sound as if much more of the equipment was paid</p> <p>4 for than turned out to actually be paid for.</p> <p>5 We -- in fact, I believe that this tow that</p> <p>6 we did for him, or one in a near timeline, he offered</p> <p>7 to allow us equipment to make sure we would get paid</p> <p>8 for the job we did.</p> <p>9 Q. So you mean like offered to give it to you</p> <p>10 or use it, or what do you mean by that?</p> <p>11 A. We would hold it as collateral against the</p> <p>12 debt he owed us.</p> <p>13 Q. And was this something that he offered, or</p> <p>14 you told him he had to do that, or how did that come</p> <p>15 about?</p> <p>16 A. There was the discussion about a necessity</p> <p>17 for him to do that.</p> <p>18 Q. Meaning -- I mean, are you indicating that</p> <p>19 you were pressuring him to figure out somehow to get</p> <p>20 you paid?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. But you earlier talked about you did go out</p> <p>23 on one occasion and actually take stuff; I think you</p> <p>24 mentioned Sweet Crude. Were there other occasions</p> <p>25 where you went out and took stuff without him knowing</p>	<p style="text-align: right;">47</p> <p>1 saying that he had been incarcerated.</p> <p>2 Q. Was that normal, for Delene to call you?</p> <p>3 A. Delene generally made calls when Rob got</p> <p>4 himself tied up or otherwise unable to make the calls</p> <p>5 he wished to make.</p> <p>6 Q. Can we look at Exhibit 12? I'm looking at</p> <p>7 October 21st. There's a bunch of green highlighted</p> <p>8 calls. Do you know if this is Delene Fettig's phone</p> <p>9 number?</p> <p>10 A. I believe so.</p> <p>11 Q. Did you get -- I think you mentioned earlier</p> <p>12 you got a bunch of calls around this time from</p> <p>13 Delene?</p> <p>14 A. That would make sense.</p> <p>15 Q. Looking at the next page over, there's also</p> <p>16 a bunch more other calls on the 22nd. Do you recall</p> <p>17 what these conversations were about?</p> <p>18 A. I know that Delene was upset her son was</p> <p>19 incarcerated.</p> <p>20 Q. Why was she calling you about it, though?</p> <p>21 A. I don't think she had many friends.</p> <p>22 Q. Did she ask you to do anything?</p> <p>23 A. She may have.</p> <p>24 Q. Let's look -- take a look at Exhibit 3. Are</p> <p>25 these text messages from Delene to you?</p>
<p style="text-align: right;">46</p> <p>1 about it or giving permission to take it?</p> <p>2 A. I believe there was. I don't recall the</p> <p>3 exact occurrences. It would typically not be from</p> <p>4 his Belfield address. It would have been from</p> <p>5 another party that was requesting the vehicle be</p> <p>6 removed.</p> <p>7 Q. Things were left abandoned? Is that what</p> <p>8 you mean?</p> <p>9 A. For example, with the truck that was left at</p> <p>10 Sweet Crude, the truck stop in Grassy Butte, that</p> <p>11 truck remained in their parking lot for, I believe,</p> <p>12 three or four months, and they had contacted Rob to</p> <p>13 remove it, and he failed to do so until the point</p> <p>14 where they actually contacted us to remove it for</p> <p>15 him.</p> <p>16 Q. Okay. Let's look at Gate City 44. This is</p> <p>17 Monday, October 23rd. Mr. Fettig says: I am out,</p> <p>18 brother. Call me. Be safe. Call me, and thank you.</p> <p>19 Do you know what that's referring to?</p> <p>20 A. I have no idea.</p> <p>21 Q. Do you know if Mr. Fettig was incarcerated</p> <p>22 at any point?</p> <p>23 A. I believe so.</p> <p>24 Q. How did you find out about that?</p> <p>25 A. I believe there was a phone call from Delene</p>	<p style="text-align: right;">48</p> <p>1 A. Yes, ma'am.</p> <p>2 Q. Okay. And what was she -- you said</p> <p>3 something about: I'm going out to the and want to</p> <p>4 make sure everything is blocked in if you want to</p> <p>5 meet me out there.</p> <p>6 Where were you going?</p> <p>7 A. I would believe that would be to our 3046</p> <p>8 address on Highway 22 North.</p> <p>9 Q. And this is the one without the gate. Is</p> <p>10 that correct?</p> <p>11 A. Correct.</p> <p>12 Q. And you would have -- you had the ability to</p> <p>13 actually park things in there, lock things in?</p> <p>14 A. Yes, ma'am. I have about 20 tractor</p> <p>15 trailers of my own parked at that property, along</p> <p>16 with a bunch of oil field rental equipment and a</p> <p>17 large front-end loader and road grader.</p> <p>18 Q. Did she meet you out there?</p> <p>19 A. I don't believe so.</p> <p>20 Q. So what was -- what Stark Energy equipment</p> <p>21 was out there?</p> <p>22 A. At that time, I don't recall.</p> <p>23 Q. But was there Stark Energy equipment out</p> <p>24 there?</p> <p>25 A. I believe so.</p>

<p style="text-align: right;">49</p> <p>1 Q. Is there any way to have a record of what 2 was out there? 3 A. Not really. 4 Q. Do you know if this is the point -- I mean, 5 you said earlier, I think, that sometimes he would 6 call and ask you to put stuff out there, but other 7 times it just showed up and disappeared. Do you 8 recall when that started happening? 9 A. I don't. Actually, I believe it was around 10 the time that Rob was incarcerated. 11 Q. That what? 12 A. That he began dropping stuff off without 13 asking first. 14 Q. Did he tell you why he was incarcerated? 15 A. What he told me was it had to do with the 16 equipment that was up for repossession. 17 Q. Anything else, like more detail on that or 18 just -- 19 A. No. 20 Q. What did Delene say, why he was 21 incarcerated? 22 A. Delene didn't say. 23 Q. What about this reference to Paul with 24 Mondo's shop? Who is Paul with Mondo's shop? 25 A. He has a repair business in New Town, and I</p>	<p style="text-align: right;">51</p> <p>1 everything and run, generally, for Rob Fettig and his 2 mother because of their nonpayment, but I believe the 3 following day we towed a 2007 International semitruck 4 from his shop in Belfield to our property at 3046 5 Highway 22 North. 6 Q. And which one is that again, the locked one 7 or the unlocked one? 8 A. The -- excuse me? 9 Q. Which property, again, was that, the -- 10 A. That's the unlocked one. 11 Q. Okay. Anything else get towed? 12 A. I don't believe so. 13 Q. Just one piece of equipment? 14 A. Just one 2007 International that is black in 15 color. 16 Q. It is black in color? 17 A. Yes, ma'am. 18 Q. There are some phone records of Mr. Fettig's 19 conversation with his mother on this -- I believe it 20 is the October 22nd, where they talk about Black 21 Betty, and then there's a reference also to a white 22 one and a silver one. Any idea what that means? 23 A. I have no idea. 24 Q. But it was only the one piece that you 25 recall towing?</p>
<p style="text-align: right;">50</p> <p>1 believe one of the calls that Delene had placed to me 2 was in regards to a truck they had that was broke 3 down in Utah. 4 Q. And what was she asking, like for the name 5 of the mechanic to fix it out there or something? 6 A. Yes. 7 Q. There's a reference here to: Black Beauty 8 has to go. 9 What does that mean? 10 A. I have no idea. I mean, I would assume it's 11 something that is up for repossession, but I don't 12 know what she refers to as Black Beauty. 13 Q. Are there -- so you said back to her: Are 14 there locks on the garage doors of the shop? 15 Did you go out to the shop on this -- at 16 this point? 17 A. Like on this date? 18 Q. Yes. 19 A. I don't believe so. 20 Q. And there's another: Is Black Beauty in the 21 shop or outside? 22 Did you -- did you bring anything from the 23 shop on this date or -- 24 A. We did. We brought a 2000- -- I believe it 25 was the next day, because we -- we don't just drop</p>	<p style="text-align: right;">52</p> <p>1 A. Yes, ma'am. 2 Q. Any motorcycles that got towed that you know 3 of? 4 A. No, ma'am. I know that he had a motorcycle 5 in the shop in Belfield for a long time that was 6 there pretty much every time I towed a truck in or 7 out of that -- that area, and, honestly, it just 8 collected dust in the corner of the shop. 9 Q. Looking at page Gate City 54, there's a 10 couple of pictures. Do you know what these two 11 pictures are of? 12 A. I believe those are of the 2007 13 International that was towed the following day. 14 We -- I believe I requested those pictures via phone 15 call to basically get an idea of how dismantled the 16 truck was before we hauled it out so that I knew how 17 many tools and equipment I was going to have to bring 18 to be able to even haul it. 19 Q. And how dismantled was it? 20 A. That truck, the tires were all stripped off 21 of it except for bare minimum junk tires; the lug 22 nuts were loose; the transmission had been removed; 23 and the hydraulic assembly, I think, was removed; and 24 the engine was dismantled. 25 Q. Any idea why all that -- it would have been</p>

<p style="text-align: right;">53</p> <p>1 stripped like that?</p> <p>2 A. My guess is those were parts that he could</p> <p>3 use on other trucks.</p> <p>4 Q. The pictures on page 56, that one and then</p> <p>5 the one -- those two pictures, is this still the 2007</p> <p>6 International?</p> <p>7 A. I believe so.</p> <p>8 Q. And were these the only text messages that</p> <p>9 you were able to find between you and Delene Fettig?</p> <p>10 A. I believe so. Whatever I turned in was all</p> <p>11 that I had.</p> <p>12 Q. Okay. Do you know whatever happened to this</p> <p>13 2007 International when you towed it?</p> <p>14 A. That truck is still parked on my property at</p> <p>15 3046 Highway 22 North.</p> <p>16 Q. That one wasn't taken during the -- when the</p> <p>17 Dickinson -- or Stark County Sheriff was out there?</p> <p>18 A. No, ma'am.</p> <p>19 Q. Can we take a look at Exhibit 2? I should</p> <p>20 ask you, was there -- when you were out there on this</p> <p>21 evening that Delene was sending you these pictures,</p> <p>22 or the next day, was there other equipment out there,</p> <p>23 that you recall?</p> <p>24 A. I believe there was. I don't recall how</p> <p>25 much.</p>	<p style="text-align: right;">55</p> <p>1 think?</p> <p>2 A. Which property?</p> <p>3 Q. Yeah.</p> <p>4 A. The 3046 Highway 22 North.</p> <p>5 Q. Okay. And that's the one that did not have</p> <p>6 the lock?</p> <p>7 A. Correct.</p> <p>8 Q. Do you remember if he parked anything there,</p> <p>9 or not?</p> <p>10 A. On that date, I don't recall.</p> <p>11 Q. When it's winter -- I mean, this is in the</p> <p>12 middle of January. Is it still able to get in and</p> <p>13 out with snow and -- at that location?</p> <p>14 A. The front portion where I park all of my</p> <p>15 equipment, I maintain, plowing it and keeping it</p> <p>16 accessible.</p> <p>17 Q. And is that where he would have parked it is</p> <p>18 in that plowed section?</p> <p>19 A. That would be my guess, yes, of where he</p> <p>20 would park it.</p> <p>21 Q. Is this visible from the highway?</p> <p>22 A. Basically, yes.</p> <p>23 Q. So on the -- when the sheriff's department</p> <p>24 came out and seized the equipment on the -- well, do</p> <p>25 you recall the date?</p>
<p style="text-align: right;">54</p> <p>1 Q. Any idea what type?</p> <p>2 A. I -- I don't.</p> <p>3 Q. On Exhibit 2 here, which is Gate City 47,</p> <p>4 you have a text at the very top: You don't have to</p> <p>5 let them in the shop to investigate and make the</p> <p>6 report.</p> <p>7 Do you remember what that was about?</p> <p>8 A. I don't.</p> <p>9 Q. Further down, and this is January 9th: Dude</p> <p>10 called sheriff on me.</p> <p>11 Any idea what that was about?</p> <p>12 A. I have no idea.</p> <p>13 Q. The next page, January 19th, there's a</p> <p>14 comment there that says: Can I park a?</p> <p>15 What was that about?</p> <p>16 A. If I had to assume, I would guess it was</p> <p>17 about parking more equipment at our property.</p> <p>18 Q. Do you remember if he did this, or --</p> <p>19 A. I don't.</p> <p>20 Q. And then it says: Just a couple of days.</p> <p>21 A. I would assume he was referring to the</p> <p>22 amount of time it would be there --</p> <p>23 Q. Do you --</p> <p>24 A. -- or his attempt.</p> <p>25 Q. Which one would this have been at, do you</p>	<p style="text-align: right;">56</p> <p>1 A. Yeah. It was my youngest son's birthday.</p> <p>2 3/15.</p> <p>3 Q. Okay. Did you talk to Mr. Fettig?</p> <p>4 A. I don't recall.</p> <p>5 Q. What did the sheriff's department indicate</p> <p>6 to you as to why they were out there?</p> <p>7 A. To repossess Stark Energy's equipment that</p> <p>8 they found.</p> <p>9 Q. Let's take a look at Exhibit 4. Can you</p> <p>10 explain to me what this document is, this first page?</p> <p>11 A. That looks like a spreadsheet of Stark</p> <p>12 Energy invoices and possibly payments that they've</p> <p>13 made.</p> <p>14 Q. Going back to at least 2021?</p> <p>15 A. I believe so.</p> <p>16 Q. Okay. So earlier you were talking about</p> <p>17 tow -- like the numbers of the equipment, S-208, 211.</p> <p>18 Is that what you were referring to?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. And these would be numbers that are, like,</p> <p>21 on the hood?</p> <p>22 A. Correct.</p> <p>23 Q. Okay. What about in the middle here? It</p> <p>24 says loan of a thousand dollars, November 16 [sic],</p> <p>25 '21. Did Yuker Towing make a loan to Stark Energy?</p>

<p style="text-align: right;">57</p> <p>1 A. We did.</p> <p>2 Q. Did you make another loan in -- \$5,500 loan</p> <p>3 on December 7, '21?</p> <p>4 A. We did.</p> <p>5 Q. So it references "Fettig Enterprise</p> <p>6 account." What does that mean?</p> <p>7 A. Rob Fettig had told us that he needed the</p> <p>8 loan to go into Fettig Enterprise's account for some</p> <p>9 contract or something that he was working on.</p> <p>10 Q. So you mean like his -- the bank account for</p> <p>11 Fettig Enterprise?</p> <p>12 A. Correct.</p> <p>13 Q. Do you know much about what was -- what</p> <p>14 Fettig Enterprise did?</p> <p>15 A. I have no idea.</p> <p>16 Q. Did Fettig Enterprise have, like, a separate</p> <p>17 account with Yuker Towing?</p> <p>18 A. No.</p> <p>19 Q. So you never did any work for your</p> <p>20 hauling -- hauling work or -- towing work, sorry, or</p> <p>21 repairs for anything for Yuker -- for Fettig</p> <p>22 Enterprise?</p> <p>23 A. The only thing that we did that could be</p> <p>24 related to Fettig Enterprises was -- slightly above</p> <p>25 the loan on the spreadsheet, there is a "Tow from</p>	<p style="text-align: right;">59</p> <p>1 loan to tide him over --</p> <p>2 A. Yes.</p> <p>3 Q. -- while his SBA loan came in?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. So I see there's loan repayments on</p> <p>6 January 11th of \$50,000 and then January 19th of</p> <p>7 \$50,000. Is that the repayments?</p> <p>8 A. Yes, ma'am.</p> <p>9 Q. And there's a -- one that's dated -- or it</p> <p>10 looks to be a \$4,000 one that says "Impound from</p> <p>11 Grassy Butte." Is that the one you were talking</p> <p>12 about earlier?</p> <p>13 A. I believe so.</p> <p>14 Q. The one from Sweet Crude?</p> <p>15 A. I believe so.</p> <p>16 Q. Is there a difference -- your terminology is</p> <p>17 "tow" everywhere else, but this one is "impound."</p> <p>18 Why the different terminology?</p> <p>19 A. Because that wasn't at the customer's</p> <p>20 request. That was at the property owner's request.</p> <p>21 Q. Is that something you typically use, that</p> <p>22 language?</p> <p>23 A. Typically.</p> <p>24 Q. Looking at Gate City 59, it says a balance</p> <p>25 of \$55,345.96. Is that how much is owed to Yuker</p>
<p style="text-align: right;">58</p> <p>1 Maine."</p> <p>2 Q. Okay.</p> <p>3 A. I believe that was one of Fettig</p> <p>4 Enterprise's trucks and not Stark Energy.</p> <p>5 Q. So did Fettig Enterprise have other</p> <p>6 equipment from Stark Energy?</p> <p>7 A. That truck was a Volvo that was hooked to a</p> <p>8 dry van or reefer. I don't -- I don't quite recall.</p> <p>9 Q. Do you know, what was the business of Fettig</p> <p>10 Enterprise?</p> <p>11 A. The only thing I know is what Rob told me,</p> <p>12 which was to haul over-the-road freight.</p> <p>13 Q. Do you know if it used the Stark Energy</p> <p>14 equipment in that business?</p> <p>15 A. I do not.</p> <p>16 Q. Why was it being towed from Maine?</p> <p>17 A. I -- I don't recall the particulars, but it</p> <p>18 was something to do with fairly major engine trouble.</p> <p>19 Q. There's two loans of \$50,000, December 29th</p> <p>20 of '21 and January 4th of '22. What were these loans</p> <p>21 for?</p> <p>22 A. They were for him to try and catch up his</p> <p>23 bills, that he was waiting on an SBA loan to come</p> <p>24 through, and ours came through earlier than his.</p> <p>25 Q. Okay. So you gave him sort of a short-term</p>	<p style="text-align: right;">60</p> <p>1 Towing?</p> <p>2 A. I believe so.</p> <p>3 Q. How was the -- you mentioned that there was</p> <p>4 about \$12,000 to fix up the frac tanks. Was that</p> <p>5 accounted for separately --</p> <p>6 A. Yes, it was.</p> <p>7 Q. -- or is that on here?</p> <p>8 A. No. That was separate from this.</p> <p>9 Q. Is it like on another spreadsheet or --</p> <p>10 A. I don't know if it ever made it to any</p> <p>11 spreadsheets. I believe it's still just cost and,</p> <p>12 like, labor hours and stuff, like parts costs, and I</p> <p>13 don't know if it was ever put together as a final</p> <p>14 invoice.</p> <p>15 Q. So how do you keep track of it, then?</p> <p>16 A. We keep all the records in a folder.</p> <p>17 Q. And are the invoices -- or the payments, I</p> <p>18 should say, from the rental of the frac tanks, is</p> <p>19 that in that folder, too, or --</p> <p>20 A. No. That's on a separate spreadsheet.</p> <p>21 Q. Let's look at Gate City 73. This is an</p> <p>22 invoice dated 5/7/21. This is talking about the tow</p> <p>23 from Maine. Is this the one you were referring to</p> <p>24 earlier?</p> <p>25 A. I believe so.</p>

<p style="text-align: right;">61</p> <p>1 Q. And you said that these would typically be 2 emailed to the customer? 3 A. Yes. 4 Q. So would this get emailed to Mr. Fettig's 5 email or to, like, Delene's email? 6 A. I don't recall. Back when Yuker Towing was 7 a small operation, I emailed them to Rob. As we 8 grew, I hired office staff that handled that. 9 Q. Looking at Gate City 90, this is an invoice 10 dated 8/20/22. Can you explain what this invoice is 11 referring to? 12 A. I believe that that's in regards to towing, 13 that looks like a truck and trailer, to Yuker's 14 property for collateral on the debt that Stark Energy 15 owed. 16 Q. So was this at the request of Stark Energy, 17 or how did -- like, how did you know where to go find 18 this trailer and -- 19 A. This would be at the agreement of Stark 20 Energy. 21 Q. Is this sort of the first time that -- I 22 mean, do you recall how this agreement that you 23 referred to came about? 24 A. I basically hounded Rob about making a 25 payment or giving us something to satisfy the debt he</p>	<p style="text-align: right;">63</p> <p>1 A. We include hookup time in with empty travel 2 time, and that's billed at the same rate. And, 3 generally -- if you're towing something that is 4 sketchy or loose parts or something of that nature, 5 you generally don't drive the speed limit, so based 6 on the hours we had on that invoice, I would assume 7 it came from his yard and the truck and trailer were 8 in disrepair. 9 Q. Let's look at Gate City 93. This is an 10 invoice dated January 16, '23. Is this the one that 11 you'd been referring to before about Sweet Crude 12 contacted you? 13 A. Yes, ma'am. 14 Q. Did Sweet Crude have to pay for this 15 impound? 16 A. No, ma'am. That service fee goes against 17 the vehicle owner. 18 Q. Okay. So where did this one wind up? 19 A. In our yard at 3046 Highway 22 North. 20 Q. Do you recall if this one was repossessed -- 21 or seized by the Dickinson -- or the -- sorry -- the 22 Stark County Sheriff? 23 A. I believe it was. 24 Q. Let's look at Gate City 96. This is an 25 invoice dated March 12th of '23. Can you tell me</p>
<p style="text-align: right;">62</p> <p>1 owed us. 2 Q. Okay. And what did he agree to do, then? 3 A. Well, judging by the invoice, I would assume 4 he agreed to give us this truck and a belly dump 5 trailer for collateral on what he owed us. 6 Q. So when you refer to the Yuker yard, is 7 that -- that's the one with the gate. Right? 8 A. No. That would be the 3046 Highway 22 9 North, without the gate. 10 Q. Do you know if this one basically stayed 11 there, or was it in and out, or -- any idea? 12 A. I don't recall. If I had to guess, based on 13 Rob agreeing to let us take it, I would assume that 14 we had to tow it because it did not run and was 15 missing so many parts. 16 Q. So is this you -- if you go get it, you can 17 hold it? 18 A. That would be my guess, yes. 19 Q. I mean, it refers to one and a half hours, 20 so this was not in Dickinson. Is that right? 21 A. Correct. 22 Q. And how would you -- 23 A. I would -- I would believe that would be 24 from his yard in Belfield. 25 Q. Is that how far it is away from your place?</p>	<p style="text-align: right;">64</p> <p>1 about this one? 2 A. It looks like a tow for a semi and trailer 3 from, I would assume, Stark Energy's shop in Belfield 4 to our yard. 5 Q. And the reference, also, to "for collateral 6 for unpaid tows," do you recall this? 7 A. I believe so. 8 Q. So was this at the request of Mr. Fettig? 9 A. Yes, that would have been at the request of 10 Mr. Fettig. 11 Q. Was this -- do you recall if this equipment 12 was damaged? 13 A. I would assume so based on the fact that it 14 would need to be towed. 15 Q. What about the next one that says Gate City 16 97? This is an invoice dated May 7th of '23. Do you 17 recall this one? 18 A. I mean, not in particular, but it looks like 19 it was a truck and a trailer towed to the Yuker yard 20 from, probably, Stark Energy's yard in Belfield. 21 Q. And when you are referring to "Yuker yard," 22 which one again? 23 A. The 3046 Highway 22 North. 24 Q. The next one, which is dated May 31st, Gate 25 City 98, this one talks about towing S-207 and a</p>

<p style="text-align: right;">65</p> <p>1 trailer from Highway 85 near Fairfield. Would this</p> <p>2 have been done at the request of Stark Energy?</p> <p>3 A. Yes.</p> <p>4 Q. You didn't have a tracking system on</p> <p>5 anything, did you, on any of Stark Energy's</p> <p>6 equipment?</p> <p>7 A. I did not.</p> <p>8 Q. So would the only way for you to find any of</p> <p>9 this would be if they called and asked you?</p> <p>10 A. Correct.</p> <p>11 Q. Let's look at Gate City 101. This is dated</p> <p>12 August 27th of '23. Do you know what this one is</p> <p>13 talking about?</p> <p>14 A. It looks like we hauled a belly dump, I'm</p> <p>15 assuming, from Stark Energy's yard in Belfield to our</p> <p>16 yard at 3046 Highway 22 North.</p> <p>17 Q. Would this have been at the request of</p> <p>18 Mr. Fettig or Stark Energy?</p> <p>19 A. It would be either at the request or</p> <p>20 agreement for -- as it says, that it's for unpaid tow</p> <p>21 debt.</p> <p>22 Q. There is another -- Gate City 103, this is a</p> <p>23 September 9th of '23. Is this the same situation?</p> <p>24 A. Yes, it appears it is.</p> <p>25 Q. Do you know how many belly -- so the Yucker</p>	<p style="text-align: right;">67</p> <p>1 referring to Yucker Towing. But was this a point</p> <p>2 where further business stopped with Stark Energy?</p> <p>3 A. I believe so.</p> <p>4 Q. Was there a discussion about why it stopped</p> <p>5 with Mr. Fettig?</p> <p>6 A. A large part of it was, to my understanding,</p> <p>7 Rob didn't have any work, any need for our services.</p> <p>8 The trucks were not running much.</p> <p>9 Q. So there wasn't ever, like, an argument with</p> <p>10 him about "I'm not going to do any more work because</p> <p>11 you haven't paid me," or was there?</p> <p>12 A. I don't like confrontation. There wouldn't</p> <p>13 be an argument about that. It would be more along</p> <p>14 the lines of me blocking his phone number and just</p> <p>15 refusing to service his company anymore.</p> <p>16 Q. Is there some point in time where you did</p> <p>17 block his phone number?</p> <p>18 A. Yes.</p> <p>19 Q. Do you remember when that would have been?</p> <p>20 A. I don't recall, but the phone logs should</p> <p>21 give a pretty good indication.</p> <p>22 Q. Can we look at Exhibit 8, which is the Stark</p> <p>23 County Sheriff's Office inventory receipt? And this</p> <p>24 is dated March 15, 2024. That's the date of your</p> <p>25 son's birthday?</p>
<p style="text-align: right;">66</p> <p>1 yard is the one --</p> <p>2 A. At the -- the one we were using during this</p> <p>3 would be the 3046 Highway 22 North.</p> <p>4 Q. Did it switch at some point in time?</p> <p>5 A. No. Basically, the 876 East Broadway</p> <p>6 address that we have is full, and we've had to</p> <p>7 continue adding more room as we grow.</p> <p>8 Q. The next one is Gate City 104, October 3rd.</p> <p>9 "Winch S-207 out of ditch and up hill near Stanley."</p> <p>10 Is this the same one that we looked at in the text</p> <p>11 messages from earlier?</p> <p>12 A. That could be. If the dates match, I would</p> <p>13 assume probably.</p> <p>14 Q. October 21, 2023, is Gate City 105. It</p> <p>15 talks about towing S-207 and trailer from a truck</p> <p>16 stop in Watford City. How would you have known it</p> <p>17 was in Watford City?</p> <p>18 A. We would have had to have received a phone</p> <p>19 call.</p> <p>20 Q. And the S-207 was like -- was it broken down</p> <p>21 at that point, probably?</p> <p>22 A. I would assume so.</p> <p>23 Q. There are no further invoices. Is this when</p> <p>24 you -- I mean, did you stop -- did you -- and, I'm</p> <p>25 sorry. When I say "you," I'm always kind of</p>	<p style="text-align: right;">68</p> <p>1 A. Yes, ma'am.</p> <p>2 Q. Okay. And 3046 Highway 22, this is the</p> <p>3 property without the gate that we've been talking</p> <p>4 about. Right?</p> <p>5 A. Correct.</p> <p>6 Q. And all of these pieces of equipment were --</p> <p>7 were they blocked in?</p> <p>8 A. Yes, ma'am. Most all of the equipment that</p> <p>9 was repossessed from our property at 3046 Highway 22</p> <p>10 North was blocked in, and I had to either assist in</p> <p>11 dragging it out to access by the tow companies that</p> <p>12 arrived to remove it or move things out of their way</p> <p>13 to access the equipment.</p> <p>14 Q. Did Mr. Fettig show up at all this day?</p> <p>15 A. I don't believe so.</p> <p>16 Q. Do you have any idea where the remainder of</p> <p>17 the property owned by Stark Energy was on this day?</p> <p>18 A. I knew where some of it was at that day. I</p> <p>19 mentioned it to one of the sheriff's deputies that he</p> <p>20 had parked a truck and trailer at the truck stop in</p> <p>21 Manning, and I knew that because we drive past</p> <p>22 Manning all the time going to work in the areas where</p> <p>23 all my equipment works.</p> <p>24 Q. Did he just leave it there regularly, or --</p> <p>25 A. It appeared that way, and it was clearly</p>

<p style="text-align: right;">69</p> <p>1 visible from the highway.</p> <p>2 Q. Do you know if it was broken down, or --</p> <p>3 A. I do not.</p> <p>4 Q. Do you know if he was concealing collateral</p> <p>5 anywhere else?</p> <p>6 A. I believe he was, but I do not know where.</p> <p>7 Q. Why do you say you believe he was?</p> <p>8 A. Because he had talked about owning a</p> <p>9 hydrovac that wasn't running, that wasn't at his shop</p> <p>10 anytime I dropped equipment off, and that's typically</p> <p>11 the only place he stored broken equipment unless he</p> <p>12 was hiding it.</p> <p>13 Q. So he stored broken equipment at the shop?</p> <p>14 A. Generally, yes.</p> <p>15 Q. But if it was running and in use, it was not</p> <p>16 typically at the shop?</p> <p>17 A. Correct.</p> <p>18 Q. Let's take a look, please, at Exhibit 5.</p> <p>19 Hopefully, we should be pretty close to being done.</p> <p>20 Can you explain to me what these photographs are of?</p> <p>21 A. These are photographs taken at Stark</p> <p>22 Energy's yard in Belfield.</p> <p>23 Q. Who took the photo?</p> <p>24 A. I did.</p> <p>25 Q. When?</p>	<p style="text-align: right;">71</p> <p>1 A. I'm assuming they're totally junk.</p> <p>2 Q. Okay. What about Gate City 107, the next</p> <p>3 one? What do these notes mean?</p> <p>4 A. So there's a -- multiple other parts laying</p> <p>5 there: A fifth wheel plate, a pallet with some</p> <p>6 engine cylinder heads, a couple of transmissions, and</p> <p>7 just all kinds of miscellaneous other pieces of</p> <p>8 trucks.</p> <p>9 Q. Why do you believe -- it says, "Transmission</p> <p>10 believed to be missing from a Stark Energy truck."</p> <p>11 Why do you say that?</p> <p>12 A. Because it's my understanding that Gate City</p> <p>13 is under the assumption that parts are missing from</p> <p>14 these trucks. I don't believe they're missing. I</p> <p>15 believe the parts that are off of the trucks are all</p> <p>16 laying right there in his yard.</p> <p>17 Q. So what type of transmission would this go</p> <p>18 to, one of the Kenworths?</p> <p>19 A. Yes.</p> <p>20 Q. And --</p> <p>21 A. In fact, I believe one of the transmissions,</p> <p>22 the transmission serial number can be tied to the</p> <p>23 unit number, VIN number, of a Stark Energy truck</p> <p>24 that's missing a transmission.</p> <p>25 Q. And was it one that was seized at the Yuker</p>
<p style="text-align: right;">70</p> <p>1 A. Short -- the batch with snow in the pictures</p> <p>2 was shortly after all of Rob Fettig's equipment was</p> <p>3 repossessed from 3046 Highway 22 North, and then the</p> <p>4 photos without snow in them were taken shortly after</p> <p>5 I received the subpoena from Gate City.</p> <p>6 Q. So did you just kind of go out there and not</p> <p>7 let him -- did you let him know you were going out</p> <p>8 there, or not?</p> <p>9 A. I did not tell him. I just went out there.</p> <p>10 Q. Okay. Can you walk me through what you see</p> <p>11 in these pictures? Or are these your notes?</p> <p>12 A. They are my notes, yes.</p> <p>13 Q. Okay.</p> <p>14 A. They show parts of trucks completely</p> <p>15 littering his property out in Belfield. Some of them</p> <p>16 can even be identified and tied back to some of the</p> <p>17 Stark Energy equipment via engine serial numbers.</p> <p>18 Q. So looking at -- I think this is Gate City</p> <p>19 106. Can you just explain your notes to me?</p> <p>20 A. So in this picture you've got rims and tires</p> <p>21 scattered on the ground, a pallet of batteries, and</p> <p>22 they're all just laying there. Look like they</p> <p>23 haven't been moved in quite some time.</p> <p>24 Q. Okay. Are those rims and tires something</p> <p>25 that could be used, or are they just totally junk?</p>	<p style="text-align: right;">72</p> <p>1 property?</p> <p>2 A. The truck was, I believe.</p> <p>3 Q. What does a "fifth wheel plate" mean?</p> <p>4 A. It's a connector for hooking a trailer to</p> <p>5 the back of a truck.</p> <p>6 Q. And "pallet with cylinder heads"?</p> <p>7 A. Yes.</p> <p>8 Q. Are those engine parts for another Kenworth?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. What about Gate City 108, what is in this</p> <p>11 picture?</p> <p>12 A. There's large piles of tires and rims.</p> <p>13 There's also many other miscellaneous truck and</p> <p>14 trailer parts.</p> <p>15 Q. And you think these could possibly be part</p> <p>16 of the ones that were seized?</p> <p>17 A. I -- I think that these were probably</p> <p>18 removed at some point in time by Stark Energy off of</p> <p>19 the equipment that was seized, yes.</p> <p>20 Q. Is there any reason to remove these?</p> <p>21 A. My guess, from what I seen, is a lot of it</p> <p>22 is destroyed in one way or another, and when he</p> <p>23 destroyed something, he probably removed parts off of</p> <p>24 another item to replace it.</p> <p>25 Q. Could these be put back on? I mean, are</p>

<p style="text-align: right;">73</p> <p>1 they usable, that they could be re-put back?</p> <p>2 A. Some of it could be reused. For example,</p> <p>3 the rims that are laying everywhere could easily be</p> <p>4 reused. There's probably nothing wrong with them.</p> <p>5 The tires, on the other hand, are probably trash.</p> <p>6 Q. 109, that's about a lift axle. What is</p> <p>7 that?</p> <p>8 A. That is a complete axle assembly that one of</p> <p>9 his trucks, I believe, was missing, or trailers.</p> <p>10 Q. So is this from a truck or from a trailer?</p> <p>11 Any idea?</p> <p>12 A. I'm not entirely sure. They could be put on</p> <p>13 either, to be honest with you.</p> <p>14 Q. Gate City 110, what do you see in this</p> <p>15 photo?</p> <p>16 A. There is tires, rims, fenders, more fifth</p> <p>17 wheel plates, fuel tanks, toolboxes. It looks like a</p> <p>18 step and just a ton of miscellaneous truck and</p> <p>19 trailer parts.</p> <p>20 Q. What do you mean "a step"?</p> <p>21 A. Yeah. It's a step and toolbox, generally</p> <p>22 mounted on the side of a Kenworth, judging by the</p> <p>23 looks of that one.</p> <p>24 Q. Where is that in the photo?</p> <p>25 A. Towards the upper right. If you'd draw a</p>	<p style="text-align: right;">75</p> <p>1 A. Generally mounted on a truck to hook the</p> <p>2 trailer to.</p> <p>3 Q. Let's look at Gate City 111, a "large pile</p> <p>4 of tires and rims said to be missing from Stark</p> <p>5 Energy trucks and trailers"?</p> <p>6 A. Yes.</p> <p>7 Q. Are these of any value or are reusable?</p> <p>8 A. I would assume they would definitely have</p> <p>9 value. I don't know the dollar amount, but some of</p> <p>10 them look like they're holding air, so I would assume</p> <p>11 the tires are not completely destroyed. Some of the</p> <p>12 rims actually look pretty shiny and taken care of.</p> <p>13 Some of the tires are possibly junk.</p> <p>14 Q. What about the skid-steer? Is that</p> <p>15 something you have viewed at Stark Energy's property</p> <p>16 before?</p> <p>17 A. It's something I've seen there. To my</p> <p>18 knowledge, from what one of his drivers or mechanics</p> <p>19 told me, they blew the engine in it.</p> <p>20 Q. Oh. So it might not be functioning?</p> <p>21 A. Correct.</p> <p>22 Q. Gate City 112?</p> <p>23 A. That's a photo of a transmission and</p> <p>24 multiple clutches laying on the ground.</p> <p>25 Q. And what kind of vehicle would this have</p>
<p style="text-align: right;">74</p> <p>1 line directly across the bottom of the sticky note to</p> <p>2 the right, it would be right there.</p> <p>3 Q. Oh, that thing. Oh, okay.</p> <p>4 Are any of these things of value?</p> <p>5 A. I would assume so. I mean, there's a lot of</p> <p>6 it that I think holds value.</p> <p>7 Q. Like, could that step and toolbox thing be</p> <p>8 resold or the rims resold?</p> <p>9 A. Yes. Or they could be reinstalled on the</p> <p>10 trucks that are missing them.</p> <p>11 Q. What's that thing on the far right corner</p> <p>12 under -- yeah, that.</p> <p>13 A. I'm not entirely sure.</p> <p>14 Q. Okay.</p> <p>15 A. Give me just a second. It looks like a used</p> <p>16 oil tote along with some more truck parts.</p> <p>17 Q. A used oil what?</p> <p>18 A. A used oil tote.</p> <p>19 Q. Tote, T-O-T-E?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Would that have any value?</p> <p>22 A. That would not. That would be where he</p> <p>23 would discard waste engine oil from the trucks.</p> <p>24 Q. What about the fifth wheel? What type of --</p> <p>25 when you say "fifth wheel," is that like a trailer?</p>	<p style="text-align: right;">76</p> <p>1 come from?</p> <p>2 A. That would come from, more than likely, a</p> <p>3 Kenworth, based on the bell housing.</p> <p>4 Q. Why would something like this be laying</p> <p>5 outside? I mean, was it damaged?</p> <p>6 A. My -- my guess is it's damaged, and rather</p> <p>7 than repairing it or rebuilding it, it was easier for</p> <p>8 someone to remove it and just discard it.</p> <p>9 Q. Gate City 113, what do you see in this</p> <p>10 picture?</p> <p>11 A. It's a -- multiple different parts that are</p> <p>12 brakes, suspension, rims, looks like exhaust, valve</p> <p>13 assemblies and suspension off of trailers.</p> <p>14 Q. What's the really shiny thing in the middle?</p> <p>15 A. That's a rim.</p> <p>16 Q. Oh. Would that be for a Kenworth?</p> <p>17 A. That would probably be for a Dragon vac</p> <p>18 trailer, along with the valve that's red in color</p> <p>19 slightly above it and to the left.</p> <p>20 Q. Okay. That's for a Dragon, also?</p> <p>21 A. Yes.</p> <p>22 Q. Any of this stuff have value?</p> <p>23 A. I would assume some of it does, yeah.</p> <p>24 Q. Gate City 114, is this another -- just more</p> <p>25 of a close-up of one we looked at earlier?</p>

<p style="text-align: right;">77</p> <p>1 A. It is. It shows the step for the Kenworth 2 truck better, along with the fuel tank and the 3 toolboxes. 4 Q. And when did you say you took these pictures 5 again? 6 A. Within just a couple of days of Gate City 7 coming to our property and repossessing Stark 8 Energy's equipment. 9 Q. What made you decide to go out there? 10 A. A suggestion from my brother. 11 Q. He said, "Go out and take photos"? 12 A. He said that it would be a good idea -- if I 13 knew where the parts were off of the trucks that were 14 repossessed, I should gather evidence of it. 15 Q. Did you -- did Yuker Towing take any parts 16 and sell them off the trucks that were repossessed? 17 A. Absolutely not. We also couldn't have used 18 any of the parts off of any of Stark Energy's 19 equipment because they're not compatible with any of 20 the trucks that Yuker owns. His trucks were all 21 newer than Yuker's trucks, and none of the parts 22 would fit. 23 Q. Gate City 115, is this a different engine 24 than the one we saw earlier? 25 A. Yes, it is. And the parts of this engine</p>	<p style="text-align: right;">79</p> <p>1 Q. What about -- let's see -- Gate City 116? 2 Is this just kind of another close-up of that same 3 pile? 4 A. Yes. 5 Q. Okay. What does your comment mean? 6 A. So the photo there shows an entire engine in 7 dismantled form. There is an engine block, a 8 cylinder head, a valve cover, all of the internal 9 pieces. The engine is complete, just completely 10 dismantled laying outside there. 11 Q. Would it be able to be just put back in? 12 A. No. There's a giant hole inside the engine 13 block. 14 Q. Oh. How does that happen? 15 A. General poor maintenance. 16 Q. 117, what are these other pieces of 17 equipment sitting here? 18 A. A couple of trailers, and then there's a 19 bunch of truck and engine parts in the background 20 that you can see up towards the building. 21 Q. And the note that says "View of engine 22 sitting along Stark Energy shop," is that the same 23 one we were just looking at? 24 A. Correct. Yes. 25 Q. What type of trailers are these?</p>
<p style="text-align: right;">78</p> <p>1 laying here can be tied back to, I believe, S-207. 2 I'm not sure if that truck was missing an engine or 3 not, but that's the engine serial number on the valve 4 cover, at least. 5 Q. That little -- in the bottom -- sort of 6 bottom left corner, you're talking about the serial 7 number? 8 A. Yes. 9 Q. So there's a -- in the background, a little 10 bit up, there's a white hood, it looks like. 11 A. Correct. 12 Q. Do you know which -- where that came from? 13 A. It's got a unit number on it, and I believe 14 you can read the unit number in one of the other 15 pictures. 16 Q. Okay. 17 A. It looks like 205. 18 Q. Okay. 19 A. So I would assume it came from S-205. 20 Q. What about the white truck that's there? 21 A. In the background? 22 Q. Yeah. 23 A. I have no idea. 24 Q. Do you know what Mr. Fettig drove? 25 A. I don't.</p>	<p style="text-align: right;">80</p> <p>1 A. One appears to be a dump trailer for behind, 2 like, a pickup truck, and one appears to be, like, a 3 car hauler. 4 Q. Do those have value? 5 A. Well, I would assume so. The one trailer 6 looks nearly new. 7 Q. What about the white -- I don't know what 8 you call them -- cargo boxes in the back? 9 A. Yeah. 10 Q. What are those for? 11 A. I couldn't tell you for sure. They're 12 sitting there with locks on them. 13 Q. So you don't know if there's anything in 14 there or not? 15 A. I don't. 16 Q. 118, is this just another view of that 17 S-205? 18 A. Yes, of the hood and some more tires that 19 you can see. 20 Q. Okay. 119 looks to be a pretty similar 21 picture. Is that right? 22 A. Yes. 23 Q. 120? 24 A. This is a view of much of the same stuff 25 from a different angle.</p>

<p style="text-align: right;">81</p> <p>1 Q. Okay. And the green thing, is that just a 2 garbage?</p> <p>3 A. That is a roll-off dumpster, yes.</p> <p>4 Q. 121, what about this one?</p> <p>5 A. You can see a lot of parts piled up right 6 outside of the door of the shop, along with tires. 7 It looks like they were possibly removed and 8 discarded out the door.</p> <p>9 Q. Is that an anhydrous tank there?</p> <p>10 A. No. That's some kind of small plastic water 11 tank.</p> <p>12 Q. What about the other thing that's kind of 13 sticking up in the background?</p> <p>14 A. It looks like a tote of some sort.</p> <p>15 Q. What about the skinny one in the -- skinnier 16 one in the background?</p> <p>17 A. That's a power meter box.</p> <p>18 Q. Oh, okay. 122?</p> <p>19 A. This is a picture of tires and rims piled 20 around large drill bits.</p> <p>21 Q. What is the thing that says -- it looks like 22 it's "644"?</p> <p>23 A. That's a type of drill bit for a surface 24 rig.</p> <p>25 Q. What about the circular thing way in the</p>	<p style="text-align: right;">83</p> <p>1 repaired on the trailer, but if you don't know that, 2 you would probably remove it trying to fix it.</p> <p>3 Q. Do you know if any of the ones that were 4 repossessed were missing this axle -- missing an axle 5 like that?</p> <p>6 A. I do know one that was missing an axle.</p> <p>7 Q. One --</p> <p>8 A. I -- I couldn't find a tag on that axle, but 9 I would imagine that the suspension and possibly a 10 serial number would match that trailer that's missing 11 an axle.</p> <p>12 Q. What about 126? Is this another angle?</p> <p>13 A. Yeah. And it also shows a hydraulic cooler 14 assembly and hydraulic hoses that had been removed 15 off of something.</p> <p>16 Q. Would this be from a Kenworth truck or 17 something else?</p> <p>18 A. I would -- I would assume that could be from 19 a Kenworth truck. It looks fitting to what Stark 20 Energy's equipment was and how it was set up.</p> <p>21 Q. 127, belly dump on this one?</p> <p>22 A. So this is more than likely why the axle was 23 removed. You can see -- the sticky note covers it a 24 little bit, but the spindle underneath the sticky 25 note is damaged and burned off.</p>
<p style="text-align: right;">82</p> <p>1 back?</p> <p>2 A. All three of the circular things, the -- the 3 two spiral things and the circular item in the back, 4 are all drill bits for a surface rig.</p> <p>5 Q. And why did you say "Tires are claimed to be 6 missing" again? Do they look like they're usable, 7 or --</p> <p>8 A. Yeah, these ones do look like they're 9 usable. Judging by the picture, you can see tread. 10 They appear to be holding air. They look usable.</p> <p>11 Q. 123?</p> <p>12 A. These are the parts that have been just 13 thrown out the door. It looks like they were doing 14 some kind of work and discarded them in a hurry.</p> <p>15 Q. 124, what do you see in this photo?</p> <p>16 A. There is fenders, brake drums, brake shoes, 17 slack adjusters, air tank, radiator, and all kinds of 18 miscellaneous parts for Dragon vac trailers, Kenworth 19 semis, and belly dump trailers.</p> <p>20 Q. 125?</p> <p>21 A. That is an entire axle for a belly dump 22 trailer.</p> <p>23 Q. Now, why would somebody remove that? Only 24 if it was damaged, or --</p> <p>25 A. I would assume so. They actually can be</p>	<p style="text-align: right;">84</p> <p>1 Q. And probably why it was removed, is your 2 thought?</p> <p>3 A. That's my assumption.</p> <p>4 Q. 127? Or, I'm sorry. That was 127. 128?</p> <p>5 A. There's a picture of a couple of hydraulic 6 cooler assemblies and a fender, couple of fenders, 7 and they're actually -- one's partially dismantled, 8 but they -- they appear to be similar to what was on 9 Stark Energy's equipment.</p> <p>10 Q. What type of equipment would that be used 11 on?</p> <p>12 A. Those hydraulic cooler assemblies were used 13 to keep the hydraulics cool running the Dragon vac 14 trailers.</p> <p>15 Q. And the fender, would that be a Kenworth?</p> <p>16 A. I would assume so, looking at the style of 17 it.</p> <p>18 Q. 129?</p> <p>19 A. That's a close-up view of the valve cover 20 showing the engine's serial number that it was 21 removed from and the VIN number of the truck that it 22 correlates to.</p> <p>23 Q. So this was -- you figured out that this 24 belongs to S-207?</p> <p>25 A. That is correct.</p>

<p style="text-align: right;">85</p> <p>1 Q. And you got -- you got these records from</p> <p>2 Wallwork Truck Center?</p> <p>3 A. That's correct.</p> <p>4 Q. What about 130? What's on this one?</p> <p>5 A. That one shows the hole in the engine block,</p> <p>6 some parts of vac pumps that came off of the Dragon</p> <p>7 trailers, another hydraulic tank and cooler assembly,</p> <p>8 and a couple more fenders.</p> <p>9 Q. 131?</p> <p>10 A. These are engine cylinder heads on a pallet</p> <p>11 that were sitting out there, and there's at least two</p> <p>12 there. They go to an ISX Cummins, based on the shape</p> <p>13 and design, which is what all of Stark Energy's</p> <p>14 engines were in their trucks.</p> <p>15 Q. In the Kenworths?</p> <p>16 A. In the Kenworths.</p> <p>17 Q. So "This goes to one of his units that is</p> <p>18 missing," one of the -- what do you mean by "is</p> <p>19 missing"?</p> <p>20 A. I believe one of the trucks that was</p> <p>21 recovered from 3046 Highway 22 North, the truck was</p> <p>22 missing the cylinder head off of the engine.</p> <p>23 Q. And then the other one, "Head belongs to an</p> <p>24 engine block in another photo, and those parts are</p> <p>25 the engine missing from one of the trucks"?</p>	<p style="text-align: right;">87</p> <p>1 many of them look to be in usable condition -- piled</p> <p>2 up along Stark Energy's shop, way more than one or</p> <p>3 two trucks could use.</p> <p>4 Q. What about the -- is that a skid-steer</p> <p>5 there?</p> <p>6 A. That is correct.</p> <p>7 Q. I see there's like a blue truck in that</p> <p>8 picture, S-211. Is that right?</p> <p>9 A. I believe so.</p> <p>10 Q. Is that the same skid-steer that you</p> <p>11 mentioned earlier you thought was -- or that the</p> <p>12 employees told you was damaged?</p> <p>13 A. Correct.</p> <p>14 Q. 135, is this just more --</p> <p>15 A. It's -- it's -- so that -- that large pile</p> <p>16 of tires by the skid-steer is so large it extends the</p> <p>17 entire length of S-211 and down the side of the</p> <p>18 building, showing a ton of tires and rims, many of</p> <p>19 which could be usable.</p> <p>20 Q. And have value?</p> <p>21 A. Yes.</p> <p>22 Q. What about 136?</p> <p>23 A. That is a photo of PTO batteries, a fuel</p> <p>24 tank, a step assembly, and the saddle brackets that</p> <p>25 the actual tank sits on.</p>
<p style="text-align: right;">86</p> <p>1 A. Correct.</p> <p>2 Q. Is that another Kenworth one?</p> <p>3 A. Yes, it is. It's another Cummins out of one</p> <p>4 of the Kenworth trucks.</p> <p>5 Q. Okay. What about 132?</p> <p>6 A. That's a transmission serial number and the</p> <p>7 transmission model number, which is the same model</p> <p>8 number as Stark Energy's equipment, the Kenworth. I</p> <p>9 believe -- I didn't find it, but I believe the serial</p> <p>10 number will match one of his units.</p> <p>11 Q. 133. So is this from a different time since</p> <p>12 it doesn't appear to have snow?</p> <p>13 A. This is from a different time, yes.</p> <p>14 Q. When would it have been?</p> <p>15 A. This was from shortly after the subpoena</p> <p>16 from Gate City was received.</p> <p>17 Q. Was it the subpoena in this bankruptcy case?</p> <p>18 A. Correct.</p> <p>19 Q. So end of May/early June of this year?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. And what is 133?</p> <p>22 A. The photo -- oops. Batteries of multiple</p> <p>23 kinds, some specific to Kenworth trucks.</p> <p>24 Q. 134?</p> <p>25 A. It's a picture of a lot of tires and rims --</p>	<p style="text-align: right;">88</p> <p>1 Q. Was this -- do you recall this fuel tank</p> <p>2 being there the last time you were out there?</p> <p>3 A. I believe it was, but it might be a new one.</p> <p>4 Q. What would it be a fuel tank for?</p> <p>5 A. Judging by the shape and size, I would say</p> <p>6 it's for a Kenworth truck. I don't remember if those</p> <p>7 have serial numbers on them.</p> <p>8 Q. 137?</p> <p>9 A. These are the tires and brakes that were in</p> <p>10 the pictures taken back in March. They're just --</p> <p>11 you can see a lot more because they're -- stuff's not</p> <p>12 covered in snow. There's multiple fifth wheel plates</p> <p>13 and many other brakes and tires. Some of it was</p> <p>14 completely coated in snow in the previous pictures.</p> <p>15 Q. It looks like there's a -- is that a license</p> <p>16 plate number that's there by the tire?</p> <p>17 A. No. No. That's a -- some kind of</p> <p>18 identifying part number for the fifth wheel plate.</p> <p>19 The one fifth wheel plate on the left actually is</p> <p>20 painted the same color as some of the Stark Energy</p> <p>21 trucks.</p> <p>22 Q. Were they typically blue?</p> <p>23 A. He had a couple of blue ones.</p> <p>24 Q. 138?</p> <p>25 A. This photo shows many vac pumps and pieces</p>

<p style="text-align: right;">89</p> <p>1 of vac pumps that would be typical of a Dragon</p> <p>2 trailer to use for loading and unloading. There's</p> <p>3 also rims and tires, brakes, and other trailer</p> <p>4 components that all would fit a Dragon trailer.</p> <p>5 Q. 139?</p> <p>6 A. I think this one just got mixed in because</p> <p>7 there's snow in it, but this is another picture of</p> <p>8 hydraulic tanks, fenders, brakes, and looks like the</p> <p>9 axle from the belly dump.</p> <p>10 Q. What about 140?</p> <p>11 A. That is another transmission serial number</p> <p>12 tag and part number -- or model number off of one of</p> <p>13 the transmissions laying out there. That model</p> <p>14 number is specific to a lot of the Stark Energy</p> <p>15 trucks. They use that transmission.</p> <p>16 Q. Whose handwriting is this one?</p> <p>17 A. I believe Jen's with Murtha Law.</p> <p>18 Q. Exhibit 6, are there -- did you get a chance</p> <p>19 to look through Exhibit 6?</p> <p>20 A. I did.</p> <p>21 Q. All right. Are there any that you can tell</p> <p>22 or that you believe may have been, you know, the</p> <p>23 missing -- a truck that's missing some of the parts</p> <p>24 we just looked at?</p> <p>25 A. Not based on the pictures, I can't.</p>	<p style="text-align: right;">91</p> <p>1 Q. Okay. Do you know if Stark Energy had --</p> <p>2 did they do a lot of work in hauling frac water?</p> <p>3 A. Yes, they did.</p> <p>4 Q. One of the -- 154, the Dragon trailer, it</p> <p>5 says it's missing a blower. Did you notice any</p> <p>6 blowers while you were out looking around for parts?</p> <p>7 A. I did. What they're referring to is -- a</p> <p>8 blower is actually the vac pump, and there's many of</p> <p>9 those in the pictures that I took.</p> <p>10 Q. So is the vac pump -- well, what's the thing</p> <p>11 that is hanging off that looks like a garbage can at</p> <p>12 the back of that?</p> <p>13 A. That?</p> <p>14 Q. Yeah.</p> <p>15 A. That is a -- what they call a scrubber that</p> <p>16 is used to protect the vacuum pump on the trailer.</p> <p>17 And when drivers are negligent, generally that will</p> <p>18 fill with fluid, and then the fluid will run into the</p> <p>19 vac pump and destroy the vac pump.</p> <p>20 Q. Exhibit 7, can you tell me what these</p> <p>21 documents are intended for, or where do they come</p> <p>22 from?</p> <p>23 A. Those were documents acquired from</p> <p>24 Wallwork's Truck Center in Dickinson, and they were</p> <p>25 used to connect the engine serial numbers or</p>
<p style="text-align: right;">90</p> <p>1 Q. If we look at 151 -- oh, it's a -- it's</p> <p>2 identified as being a belly dump. Did you say these</p> <p>3 are just for aggregate hauling again?</p> <p>4 A. Typically, yes.</p> <p>5 Q. What about the 145, which is a side dump or</p> <p>6 a trailer? What are those used for?</p> <p>7 A. Typically, aggregate or some type of</p> <p>8 aggregate.</p> <p>9 MR. VERSTANDIG: What do the numbers</p> <p>10 correlate to?</p> <p>11 THE WITNESS: Which numbers?</p> <p>12 MR. VERSTANDIG: Ms. Stanley asked about</p> <p>13 145, and these appear to begin at 162. Oh, you're</p> <p>14 going by page number. Sorry. I have lot numbers.</p> <p>15 Okay.</p> <p>16 Q. (BY MS. STANLEY) So on 145 -- Lot 181, I</p> <p>17 think those are the lot numbers for the auction</p> <p>18 company.</p> <p>19 A. Okay.</p> <p>20 Q. And then the Dragon trailers, are those only</p> <p>21 used for hauling frac water or hauling clean water to</p> <p>22 use in fracking?</p> <p>23 A. Typically. They could potentially be used</p> <p>24 for hauling fresh water to water roads, but that's</p> <p>25 pretty uncommon around the oil field.</p>	<p style="text-align: right;">92</p> <p>1 transmission serial numbers or axle serial numbers of</p> <p>2 Stark Energy's equipment that Wallwork's had on file</p> <p>3 with the equipment parts that were in Stark Energy's</p> <p>4 yard.</p> <p>5 Q. And you went and asked for these?</p> <p>6 A. From Wallwork's Truck Center, yes.</p> <p>7 Q. Is that where they typically -- why would --</p> <p>8 I mean, why would Wallwork have these? Were they the</p> <p>9 normal repair company for them?</p> <p>10 A. He -- they were the normal parts supplier</p> <p>11 for Stark Energy. They did no repair work, to my</p> <p>12 knowledge, for Stark Energy.</p> <p>13 Q. Who would have done repair work for Stark</p> <p>14 Energy?</p> <p>15 A. From what I've always known, Stark Energy</p> <p>16 always employed mechanics of some sort in their own</p> <p>17 shop and did all their own repairs.</p> <p>18 (A discussion was held off the record.)</p> <p>19 (Recess taken from 12:59 p.m. to 1:11 p.m.)</p> <p>20 Q. (BY MS. STANLEY) So, Mr. Yuker, on the</p> <p>21 bankruptcy schedules there are two Dragon trailers</p> <p>22 that are still identified as being missing. Do you</p> <p>23 have any idea where Stark Energy could have misplaced</p> <p>24 two Dragon trailers?</p> <p>25 A. I would assume probably wherever the</p>

<p style="text-align: right;">93</p> <p>1 hydrovac was before it reappeared at Stark Energy's 2 shop. 3 Q. When do you think -- when did it reappear? 4 A. After his filing for bankruptcy when we -- 5 after we received the notices of him filing for 6 bankruptcy. 7 Q. Is this the one that you thought was in 8 Manning? 9 A. The -- no. The one I seen in Manning was -- 10 I don't recall the number on it, but it had a Dragon 11 vac trailer on it. I didn't pull into the Manning 12 truck stop and examine the unit. I just seen it in 13 passing. 14 Q. What about have you ever seen a Reitnouer 15 trailer, flatbed? 16 A. At one time I did in Stark Energy's yard in 17 Belfield. 18 Q. Any idea when that was? 19 A. I would -- I would guess to say early to mid 20 2023. 21 Q. Okay. 22 A. The pictures taken at Stark Energy's yard in 23 Belfield on -- around the time we received the 24 subpoena, that Dragon trailer that's hooked behind 25 S-211, that had no identifying features to it.</p>	<p style="text-align: right;">95</p> <p>1 had the hood missing? 2 A. I believe so. I believe that was the 3 picture -- one of the pictures that was S-205 that 4 was missing. 5 Q. What about S-10? Does that one sound 6 familiar? That was a 2007 International? 7 A. That one is still on our property at 3046 8 Highway 22 North. 9 Q. And is that one functioning at all? 10 A. No. That's the one that I had mentioned is 11 dismantled, missing a transmission, missing some 12 tires and rims, and the tires that are on it are not 13 fastened completely, and the engine is dismantled. 14 Q. Do you recall how that one got out there? 15 A. We towed it out there, and there's records 16 of that. 17 Q. Is that one of the invoices we looked at 18 earlier, do you think? 19 A. That is -- yes. 20 Q. Was that one that was listed as collateral? 21 A. Yes. 22 Q. And was Mr. Fettig aware of where this S-207 23 was? 24 A. (No audible response.) 25 Q. Like, has he ever asked you where -- you</p>
<p style="text-align: right;">94</p> <p>1 The -- it appeared the VIN number had been removed 2 off of that trailer. 3 Q. So this was in May and June? 4 A. Correct. 5 Q. There was a Dragon trailer that was out 6 there? 7 A. Correct. It was hooked to that S-211. It 8 actually can be seen in some of the pictures that I 9 took. 10 Q. Did you actually go up to it and look for a 11 VIN number? 12 A. I did. 13 Q. And they weren't -- 14 A. Because the -- correct, the VIN number had 15 been removed. The officers, when they repossessed 16 the equipment from our property, 3046 Highway 22 17 North, had mentioned that there was still equipment 18 missing, and because of that, we felt that we should 19 look when we were taking the pictures to see if we 20 couldn't help in locating the equipment that was 21 still missing. 22 Q. So it was attached to the back of the S-211, 23 the blue truck that was out there? 24 A. Correct. 25 Q. What about an S-205? Was that the one that</p>	<p style="text-align: right;">96</p> <p>1 know, like "Do you know where this particular piece 2 of equipment is?" or anything like that? 3 A. He did. I don't remember when, but he did, 4 and I told him that it is on my property. 5 Q. Is there any value to it? 6 A. Possibly salvage value. 7 Q. Do you know if Stark Energy or Mr. Fettig 8 are operating right now or in the last, you know, 9 like six months under a different name or partnering 10 with somebody else? 11 A. I'm not aware. I blocked Rob's -- Rob's 12 phone number, all of his phone numbers, including his 13 mother's, on 3/15, and I haven't spoke to him unless 14 he's managed to collar me in public somewhere since. 15 Q. Has that happened? 16 A. Yes. 17 Q. Where was that? 18 A. That was at Wallwork's Truck Center when I 19 was dropping off a truck that we towed in. 20 Q. So when would this have been? 21 A. That I -- 22 Q. That you ran into him at Wallwork. 23 A. That was approximately May of 2024. 24 Q. And what happened in that interaction? 25 A. He had some guy with him that he claimed to</p>

<p style="text-align: right;">97</p> <p>1 be his new mechanic, and that he wasn't trying to</p> <p>2 cause any trouble, but he was looking for a truck,</p> <p>3 and he was asking if I knew where it was, and I -- I</p> <p>4 don't recall some of the other random crap he said.</p> <p>5 Q. What truck was he looking for?</p> <p>6 A. I don't recall.</p> <p>7 Q. Was he threatening at all or just -- how</p> <p>8 would you characterize it?</p> <p>9 A. I would say that his demeanor was</p> <p>10 threatening, but trying to not have a bad altercation</p> <p>11 in public.</p> <p>12 Q. Have you had any other interactions with him</p> <p>13 or with Delene Fettig since --</p> <p>14 A. No.</p> <p>15 Q. No?</p> <p>16 A. No.</p> <p>17 MS. STANLEY: I think I am done. Thank you</p> <p>18 for your time. It's greatly appreciated.</p> <p>19 THE WITNESS: No problem.</p> <p>20 MR. VERSTANDIG: Just a few questions. I</p> <p>21 promise I will be shorter.</p> <p>22 THE WITNESS: Okay.</p> <p>23 EXAMINATION</p> <p>24 BY MR. VERSTANDIG:</p> <p>25 Q. Sir, putting aside offenses related to the</p>	<p style="text-align: right;">99</p> <p>1 A. 17.</p> <p>2 Q. Home invasion, does that correlate to the</p> <p>3 larceny, or is that a separate occurrence?</p> <p>4 A. That's the same occurrence.</p> <p>5 Q. Were you incarcerated for any period of time</p> <p>6 in your life?</p> <p>7 A. I was when I was 17.</p> <p>8 Q. For how long were you incarcerated?</p> <p>9 A. I spent approximately three months in jail,</p> <p>10 three months in prison, and three months in state</p> <p>11 alternative incarceration boot camp.</p> <p>12 Q. You're approximately 35 years old now.</p> <p>13 Correct?</p> <p>14 A. Correct.</p> <p>15 Q. In the past 14 years, so since you turned</p> <p>16 21, have you been charged with any offense, again,</p> <p>17 other than the speed with which you've operated a</p> <p>18 motor vehicle?</p> <p>19 A. I think there was something about not</p> <p>20 wearing a seat belt and possibly a passing where</p> <p>21 prohibited.</p> <p>22 Q. Okay. You spoke about an SBA loan earlier</p> <p>23 today which correlated to two \$50,000 loans. Do you</p> <p>24 recollect that?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">98</p> <p>1 speed with which you've operated a motor vehicle,</p> <p>2 have you ever been charged with a crime?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. What crimes have you been charged</p> <p>5 with since you turned 18 years old?</p> <p>6 A. Since I've turned 18 years old?</p> <p>7 Q. Let's do pre-18 next.</p> <p>8 A. I can't recall if it was prior to being 18</p> <p>9 or after, but I --</p> <p>10 Q. Since you were 10 years old, what crimes</p> <p>11 have you been charged with?</p> <p>12 A. Okay. Minor in possession. Fleeing and</p> <p>13 eluding. Larceny from a building. Home invasion.</p> <p>14 Driving under suspension. Marijuana possession. I</p> <p>15 think that's it.</p> <p>16 Q. All right. The minor in possession, was it</p> <p>17 marijuana or a different substance?</p> <p>18 A. It was tobacco or alcohol.</p> <p>19 Q. Okay. Larceny from a building, what were</p> <p>20 you accused of stealing?</p> <p>21 A. I stole \$50,000 cash with one of my</p> <p>22 classmates from school.</p> <p>23 Q. How old were you at the time?</p> <p>24 A. What's that?</p> <p>25 Q. How old were you at the time?</p>	<p style="text-align: right;">100</p> <p>1 Q. Was that an EIDL loan?</p> <p>2 A. That was.</p> <p>3 Q. Okay. Was the EIDL loan taken out by your</p> <p>4 company?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Did you indicate to the SBA that the</p> <p>7 purpose of the loan was to lend monies to a third</p> <p>8 party?</p> <p>9 A. No.</p> <p>10 Q. You had spoken earlier about a point in time</p> <p>11 when you shared with Gate City Bank that you were</p> <p>12 knowledgeable about the whereabouts of some of their</p> <p>13 collateral. Do you recollect that?</p> <p>14 A. Yes.</p> <p>15 Q. What prompted you to reach out to Gate City</p> <p>16 Bank about knowing the whereabouts of their</p> <p>17 collateral?</p> <p>18 A. A feeling of obligation.</p> <p>19 Q. How did you know it was their collateral?</p> <p>20 A. Rob had mentioned it, that he had loans</p> <p>21 outstanding with Gate City.</p> <p>22 Q. Okay. Did you know they were trying to</p> <p>23 recover their collateral?</p> <p>24 A. I -- I wasn't aware of when Gate City was</p> <p>25 going to be trying to recover their collateral. I</p>

<p style="text-align: right;">101</p> <p>1 had several conversations with Stepheny Reger from 2 our local Gate City branch trying to see when they 3 would want it back and how we could help with that. 4 Q. Did you seek any compensation for helping 5 them with that? 6 A. No monetary values were put on anything. 7 Q. I understand that, but did you suggest that 8 there would be some monetary remuneration without 9 putting a value down on it? 10 A. I asked if we could be paid for any of the 11 work we had done. 12 Q. Did you assert a lien on any of the items 13 for unpaid tow fees or storage fees? 14 A. We did not. 15 Q. Now, I think you had indicated earlier that 16 the pandemic roughly coincided with sort of the 17 economic demise of Stark Energy. Correct? 18 A. That is correct. 19 Q. If you go to GC 140 -- and I promise there's 20 only going to be two exhibits here -- it is this 21 model and date, and I think it's indicated to be a 22 transmission serial number tag. Can we agree 23 that that date is -- sorry. Wait for it to come up. 24 Can we agree that date is March 26, 2022? 25 A. Yes.</p>	<p style="text-align: right;">103</p> <p>1 A. -- in front -- in front of the closest row 2 to the door, that rim that is laying down completely 3 on the ground appears to be shiny. 4 Q. Okay. The one that's directly in front of 5 the tire that has snow going from about 6 o'clock to 6 12 o'clock? 7 A. I believe so. 8 Q. Okay. Anything else in this picture that 9 strikes you as a shiny rim? 10 A. Not upon closer examination. 11 Q. Okay. What is Highland Properties, LLP? 12 A. I believe that's the individual that I 13 bought the 4148 First Street Southwest address from. 14 Q. Do you have any relationship with it? 15 A. With Highland Properties? 16 Q. Yes. Other than having procured property 17 from them, do you have any relationship with the 18 company? 19 A. No. 20 Q. Okay. Are you familiar with a company 21 called RJY Services, Incorporated? 22 A. I'm familiar with it. 23 Q. Okay. What is it? 24 A. That is a company that my brother had years 25 ago in Michigan.</p>
<p style="text-align: right;">102</p> <p>1 Q. Can we agree that's after a novel 2 coronavirus found its way to the United States? 3 A. Yes. 4 Q. Okay. How is it, to the best of your 5 understanding, that Stark Energy procured a new 6 transmission in March of 2022? 7 A. I have no idea. 8 Q. So it's possible they had economic 9 activities beyond the scope of your knowledge? 10 A. Yes. 11 Q. And then I want to go to GC 111, which will 12 be the last exhibit I reference. I promise. This is 13 one of the snowy pictures. There you go. 14 And you had testified earlier that there 15 were some -- and I quote -- shiny rims in this 16 picture. Do you remember that? 17 A. Yes. 18 Q. I do not mean to be a smart aleck in any 19 way, shape, or form. 20 A. Okay. 21 Q. Can you point out which ones you think are 22 shiny? 23 A. If you look at the two rows of tires closest 24 to the door, the garage door -- 25 Q. Yes.</p>	<p style="text-align: right;">104</p> <p>1 Q. Okay. When did you leave Michigan, by the 2 way? 3 A. Approximately 2010. 4 Q. Do you remember when in 2010, by chance? 5 A. I don't. 6 Q. Okay. What caused you -- I think you 7 testified earlier there were better economic 8 opportunities in North Dakota. Correct? 9 A. That is correct. 10 Q. Is there anything else that prompted your 11 exit from Michigan? 12 A. Not really. 13 Q. Okay. Do you remember the season when you 14 left Michigan? 15 A. I believe it was summertime. 16 Q. Is it possible the summer of 2010 you 17 purchased an 18-foot boat and registered it in 18 Michigan? 19 A. I -- 20 Q. Perhaps a 1970 outboard fiberglass Sea Ray? 21 A. Possibly. 22 Q. Do you know why you purchased a boat right 23 before coming to a landlocked state? 24 A. I believe it would have been for resale. 25 Q. What is Yuker Oilfield Services, LLC?</p>

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1 A. It is a company that me, my father, and my
2 brother were trying to put together.

3 Q. When was that?

4 A. Prior to my father's passing last May.

5 Q. Did the company ever open a bank account?

6 A. I don't believe so.

7 Q. Did the company ever transact any business
8 with third parties?

9 A. No.

10 Q. What is Yuker Enterprises, LLC?

11 A. That is a company that I had started with
12 intentions of getting off the ground in a different
13 marketplace than Yuker Towing.

14 Q. Which marketplace were you targeting?

15 A. I believe that one was going to be directly
16 tied to rental.

17 Q. Meaning the rental of trucks and truck
18 equipment?

19 A. Trucks and cars and things of that nature.

20 Q. Okay. I know it's been about three and a
21 half hours, but as you reflect on the questions and
22 answers from today, are there any answers you would
23 want to change or that you believe were inaccurate in
24 nature?

25 A. Not to my knowledge.

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1 MR. VERSTANDIG: Nothing further.

2 MS. STANLEY: I don't have any other
3 questions.

4 MR. VERSTANDIG: Mr. Murtha, I'm guessing
5 he'll read?

6 MR. MURTHA: Yes.

7 THE COURT REPORTER: Okay. Does anyone need
8 hard copies, or just electronic for everyone?

9 MS. STANLEY: I think just electronic.

10 MR. VERSTANDIG: I am not ordering. I
11 represent the Debtor in this case, and we have no
12 money.

13 THE COURT REPORTER: Okay. Mr. Murtha?

14 MR. MURTHA: Just an electronic copy,
15 please. Thank you.

16 (These proceedings were concluded at
17 1:33 p.m.)

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1 **RULE 2004 EXAMINATION CORRECTION SHEET**

2 **CASE TITLE:** In Re: Stark Energy, Inc., Debtor.

3 **NAME OF WITNESS:** Andrew Yuker, individually and on
4 behalf of Yuker Towing & Repair,
LLC

5 **RULE 2004 EXAMINATION DATE:** June 24, 2024

6 **Page No. Line No. Correction/Change Reason**

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18 _____

19 Dated Andrew Yuker, individually and on
20 behalf of Yuker Towing & Repair, LLC

21 **RETURN PROCEDURE:**

22 Please return this page within 30 days to:

23 CATS Court Reporting Service, Inc.
24 PO Box 886
25 Fargo, ND 58107

Reporter@CATSReporting.com

1 NOTARY REPORTER'S CERTIFICATE

2 STATE OF NORTH DAKOTA
3 COUNTY OF CASS

4 BE IT KNOWN, I took the foregoing
5 Videoconference Rule 2004 Examination of Andrew
6 Yucker, individually and on behalf of Yucker Towing &
7 Repair, LLC;

8 THAT, I was then and there a Notary Public in
9 and for the County of Cass, State of North Dakota,
10 and exercised the power of that office in taking said
11 Rule 2004 Examination;

12 THAT, said witness, before testifying, was
13 remotely sworn to tell the truth, the whole truth,
14 and nothing but the truth;

15 THAT, the reading and signing of the Rule 2004
16 Examination by the witness was reserved;

17 THAT, I am not related to or employed by or
18 contracting with any of the parties or attorneys to
19 the action in which this Rule 2004 Examination is
20 taken and am not financially interested in this
21 action;

22 THAT, the cost of the original has been charged
23 to the party who noticed the Rule 2004 Examination,
24 and that all parties who ordered copies have been
25 charged the same rate for such copies;

26 THAT, the testimony was taken down in stenotype
27 by me and reduced to one hundred six (106)
28 typewritten pages and is a true and correct
29 transcript of the proceedings to the best of my
30 ability and given the quality of the audio in the
31 remote setting.

32 WITNESS my hand and seal this 30th day of June,
33 2024.

34 /s/ Carolyn Taylor Pekas
35 Carolyn Taylor Pekas, Notary Public, North Dakota
36 My commission expires: December 16, 2026